Albert G. Mumma.
George T. Mundorff.
William G. Myers.
John F. Newman, jr.
Stanley G. Nichols.
Philip Niekum, jr.
Albert S. Oakholt.
Frank O'Beirne.
William E. Oberholtzer, jr.
Orville K. O'Daniel.
Anderson Offutt.
Daniel M. Ogden.
Earl K. Olsen.
John O'Shea, jr.
Morris E. Paradise.
Herman O. Parish.
Marvin C. Parr.
Nelson M. Parry.
Joe B. Paschal.
Ralph E. Patterson.
Oscar Pederson.
Harlan K. Perrill.
Ernest R. Perry.
Jesse L. Phares.
Robert B. Pirie.
Karl F. Poehlmann.
Harold J. Pohl.
Harry H. Pottle, jr.
Cleveland F. Pratt, jr.
George Prifold, jr.
Nathaniel S. Prime.
Winston C. E. Prins.
William L. Pryor, jr.
Robert S. Purvis, jr.
Charles H. Quinn.
Edmund M. Ragsdale.
Carl W. Ramsey.
James W. Ransom.
James P. Raugh.
Morgan Redfield.
Herman Reich.
John K. Reybold.
Luther K. Reynolds.
John L. Rhodes, jr.
Stephen E. Rice, 3d.
Theodore W. Rimer.
Henry F. Ripley.
Edward C. Ritchie.
Edward L. D. Roach, 2d.
Walter F. Rodee.
James H. Rodgers.
Charles R. Rohweder.
William K. Romoser.
Henry D. Rozendal.
Arthur R. Rule, jr.
Benjamin Van M. Russell.
James S. Russell.
Ernst A. Ruth, jr.
William W. Rutledge.
Tracy B. Sands.
Eugene S. Sarsfield.
George E. Schade.
Frank B. Schaede.
Edwin S. Schanze.
Harper D. Scrymgeour.
Abbott M. Sellers.
Harold M. Shanahan.
George L. Shane.
Louis Shane, jr.
Israel D. Shapiro.
William R. Shaw.
Seth A. Shepard.
John Shoemaker.
James N. Shofner.
Charles E. Signer.
John H. Simpson.
Charles T. Singleton, jr.
William R. Smedberg, 3d.
Ralph D. Smith.
Sidney L. Smith.
Otho P. Smoot, jr.
Charles D. Spencer.
William C. Sprenger.
Walter C. Stahl.
Arthur G. Stanford.
Joseph B. Stefanac.
Frederick C. Stelter, jr.
Oscar Stiegler.
Everett H. Still.
Yates Stirling, 3d.
Herald F. Stout.
Charles L. Strain.
Hubert E. Strange.
Paul D. Stroop.
John A. Strother.
Joseph M. Stuart.
Lennox H. Stuart.
Dennis J. Sullivan.
Daniel J. Sweeney.
John D. Sweeney.
Willard M. Sweetser.
John Sylvester.
Carroll H. Taecker.
Clarence O. Taff.
Ford N. Taylor, jr.
John B. Taylor.
John M. Taylor.
William C. Taylor.
Fondville L. Tedder.
John B. Thomas.
Olin P. Thomas, jr.
Paul H. Tobelman.
Benjamin F. Tompkins.
Samuel M. Tucker.
William Turek.
Mario G. Vangeli.
Louis L. Vodila.
Edwin F. Voit.
Jay H. Vreeland.
Eugene M. Waldron.
John F. Walsh.
James H. Ward.
Samuel C. Ward.
Doyle C. Warren.
Paul W. Watson.
William A. Watson.
George C. Weaver.
Hugh P. Webster.
Edward L. B. Weimer.
George H. Weis.
John K. Wells.
Ralph E. Westbrook.
Thomas M. Whelan.
Walter J. Whipple, 2d.
William White.
William J. Whiteside.
William S. Whiteside.
Charles J. Whiting.
George M. Whitson, jr.
John L. Wilfong.
Joseph H. Willingham, jr.
Solomon D. Willingham.
Beverly E. Wilson.
John A. Winfrey.
Thomas M. Wolverton.
John L. Woodbury.
Wesley A. Wright.
Peter A. Wyckoff.
Ray Zemlicka.
Earl B. Zirkle.
Gerald D. Zurmuehlen.

TO BE ASSISTANT PAYMASTER

Bion B. Bierer, jr.
Lysle W. Cease.
Mark W. Clay.
Eskil T. Eskilson.
Fred L. Haerlin, jr.
Walter W. Honaker.
Owen T. Rippey.

POSTMASTERS

ALASKA

Josephine C. Spickett, Juneau.

ILLINOIS

George E. Stauffer, jr., Baylis.
Lillie M. Diver, Dallas City.
Arthur L. Patterson, Grayville.
Lawrence F. Hake, Hoyleton.
George A. Field, Mackinaw.
Nellie Mitchel, Mansfield.
James M. Carey, Maywood.
Harold H. Hitzeman, Palatine.
John L. Thomas, Pleasant Hill.
William A. Kelly, West Frankfort.

MAINE

George O. Carr, Norridgewock.

MICHIGAN

Martin S. Markham, Alanson.
Glen A. Petrie, Clawson.
Ruth F. Hastings, Engadine.
Eldon E. Baker, Flint.
Florence C. Curtis, Whittemore.

MISSOURI

David D. Scroggs, Appleton City.
Alfred L. Jenkins, Chula.
Walter S. Johnston, Crocker.
Hattie Biggs, Nellyville.

NEW YORK

Jul Johnson, Kinderhook.
Eugene H. Ireland, Palatine Bridge.
Albert D. Ritchie, Saratoga Springs.
Harry C. McNamara, Valatie.

OHIO

Hilton C. Hart, New Waterford.
Jesse A. Keller, Pleasantville.

PENNSYLVANIA

Bertha G. Thomas, Port Kennedy.
George W. Brelsford, South Langhorne.

TENNESSEE

Woodford C. Monroe, Celina.
William R. Robinson, Charlotte.
Hugh B. Nunn, Ripley.

HOUSE OF REPRESENTATIVES

FRIDAY, *May 14, 1926*

The House met at 12 o'clock noon.

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

O Thou who art supremely holy, wise, and eternal, make us susceptible to Thy presence. We make humble recognition of Thee, who art above all and over all. Upon these Representatives of our Republic we pray for Thy blessings of wisdom that their decisions may bring to our fair land increasing prosperity and contentment. May this National Assembly ever be the exponent of that which is just and good. In all questions do Thou lead the way that shall reflect credit on every Member and lift our country to a higher plane of national life. With brave and manly hearts may we move forward to meet all issues that may await us. Shield and protect all our loved ones, and unto us all be Thou the bread, the water, and the light of life. Amen.

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

REMARKS OF PRESIDENT COOLIDGE IN REPLY TO THE ADDRESS OF BISHOP JOSEPH F. BERRY

Mr. BACON. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address by the board of bishops of the Methodist Episcopal Church to the President of the United States and his reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. Mr. Speaker, in accordance with the above permission I insert herewith in the RECORD the inspiring messages exchanged between President Coolidge and Bishop Berry on the occasion of the call of the board of bishops of the Methodist Episcopal Church on May 6, 1926, at 12.30 p. m. The basic truths contained in these messages should be carried into every home in America:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

ADDRESS OF SENIOR BISHOP JOSEPH F. BERRY

MR. PRESIDENT: I use no merely formal words when I say that your gracious invitation to the bishops of the Methodist Episcopal Church to this happy interview was accepted with genuine pleasure. The present meeting is really a sequel to several other historic gatherings of a somewhat similar character.

It was in 1789 that the Methodist conference assembled at New York sent to General Washington, the newly inaugurated President, the formal greetings of American Methodism. Bishop Francis Asbury, whom you have eulogized in accurate and appreciative phrase, presented the address. According to the record he read it "with self-possession and in an impressive manner," and the President "replied with fluency and animation." This was the first formal greeting to the first President of the United States by any Christian church. "I must assure you," said President Washington in his reply, "that I take in the kindest part the promise you make in presenting your prayers at the throne of grace for me, and I likewise implore the Divine benediction on yourselves and your religious community."

Scarcely less interesting was another gathering in 1864, during the strenuous days of the Civil War. The general conference, assembled at Philadelphia, sent a group of its distinguished members to Washington to present its greetings to Mr. Lincoln. To that address the President wrote a formal reply, embodying sentiments which deeply gratified the whole Methodist communion, and which are widely quoted even until this day. At the earnest solicitation of Mr. Lincoln, that peerless preacher of his day, Bishop Matthew Simpson, often came to the White House during those anxious days. He was received as a personal adviser of the highest value, and a source of comfort and strength to the burdened President.

In the spirit which animated the representatives of our church on these and other occasions, we come to you to-day. In the name of nearly 20,000,000 of members and adherents we express our admiration for your consistent devotion to the duties of your great office, and congratulate you heartily upon the success of your administration. For your determined efforts to secure economy in administrative expenditures, and thus lighten the burdens of taxation, we must express our appreciation. Your steadfast stand in behalf of world peace, and your influential advocacy of a Permanent Court of International Justice have had our cordial approval. Your rigid insistance upon the enforcement of law, especially that amendment to the Federal Constitution which is intended to destroy forever the diabolism which inheres in the liquor traffic, you have earned the gratitude of every patriotic American. And the Christian idealism upon which you have put your stamp of approval, have placed not only the Methodist Church, but all the churches, under a debt which we can never fully pay.

We agree with you, Mr. President, that the United States of America must continue to maintain an attitude of definite helpfulness toward all the world. Our people have a passion for the dominance of democracy. Our sympathies for the oppressed are written in history. Carefully avoiding entangling alliances of a political and military character, and declining to assume foreign obligations out of harmony with the best ideals of the fathers of the Republic, we should, nevertheless, give that inspirational leadership which is so essential to the social and spiritual regeneration of the world in a day like this. You were exactly right when in a public address delivered some months ago you declared that "America can not maintain itself in a healthy economic and moral condition by turning all its thoughts upon itself, by making its material prosperity its supreme choice," that "selfishness is only another name for suicide," and that "a nation that is morally dead will soon be financially dead."

Remembering always that "righteousness exalteth a nation" and that "sin is a reproach to any people," we pledge ourselves to promote with increasing devotion the spirit of true patriotism among the people who are influenced by our leadership—a patriotism which finds its best expression in love of country, love of humanity, love of righteousness, and love of God.

In our public congregations and private devotions we shall continue to pray that God may have you in His keeping, that you may have the wisdom which cometh from above, and that in carrying the heavy responsibilities which must necessarily come to you, you may realize more and more His very presence and the undergirding of His strength.

REMARKS OF PRESIDENT COOLIDGE

It is a pleasure to receive the bishops of the Methodist Episcopal Church. For the kind words of a personal nature which Bishop Berry has spoken on behalf of your great and influential organization I am thankful.

With the keenest gratification I have listened to the renewal of your pledge "to promote with increasing devotion the spirit of true patriotism." I am not unmindful of that historical occasion in May, 1789, when Bishop Coke and Bishop Asbury, on behalf of the first Christian church to formally greet the President of our new Republic, called on George Washington and besought for him that divine guidance and support without which the efforts of the founders of the Republic would have been in vain.

I am told it has been a custom for your board of bishops, whenever they have been in Washington, to call upon the Chief Executive of the United States and to declare to him their faith in that Power which guides our destinies, and to assure the President of their unswerving allegiance.

From the days of Asbury, whose services in carrying the Word through the length and breadth of our infant Nation are commemorated in a statue in this city, your bishops have been consecrated, upstanding men, fighting for the cause of righteousness, justice, and humanity.

Other denominations and sects have developed courageous, patriotic leaders whose striking services to humanity and country shall not be forgotten. We have been particularly blessed in that our Government always has been able to count on the earnest and active support of the governing bodies as well as all the members of the various faiths enjoying the benefits of the religious freedom guaranteed to them by our Constitution.

It was in accord with basic truths of the universe that the signers of the Declaration of Independence declared their reliance upon the protection of a Divine Providence. Founded upon religion, our Government has derived strength and stability from the religious nature of its people. If we are to maintain our national existence, we must continue to cherish and foster this spirit which underlies and pervades all enduring achievement. So long as we adhere to the eternal verities of religion we shall not fail to keep that inspiration which has carried us through nearly 150 years.

May I extend to you and to that vast body of communicants and adherents represented by you my profound appreciation of their good wishes and of their support of our Government and its Chief Executive? May we all be endowed with the spirit of our Creator and with His wisdom to meet the duties which He has set for us to perform.

CELEBRATION AT WILLIAMSBURG, VA.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Speaker and gentlemen, on behalf of the president of the William and Mary College, I desire to extend an invitation to the Congress to attend the exercises at Williamsburg, Va., to-morrow in commemoration of the direction of its delegation in Congress to introduce a resolution that these colonists were and of right ought to be free and independent. The President of the United States will make an address, and the president of the College of William and Mary and the president as well as the committee of the General Assembly of Virginia will be delighted to have all Members of Congress present.

I am asked to explain how Members may get there. Parties can go over the Norfolk & Washington boat, get off at Old Point Comfort, and take the Chesapeake & Ohio Railroad to Williamsburg, arriving at 10 a. m. Or they can take the train this afternoon to Richmond, spending the night in Richmond, then taking the train to-morrow morning, leaving Richmond at 9 o'clock. Or this afternoon they can motor to Richmond, spend the night at Richmond, and then go over a very good road, a hard-surface road with the exception of 11 miles, and make the trip in an hour or an hour and a half from Richmond.

Mr. BEGG. How far is it from here to Richmond by motor?

Mr. BLAND. One hundred and twenty-five miles—about a five-hour run. Or you can take a sleeper on a train leaving at 3.15 and then get a train out of Richmond.

Mr. KNUTSON. What time does the train reach Richmond?

Mr. BLAND. About 7 o'clock, and leaves Richmond about 9 o'clock in the morning.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 5627. An act for the relief of George Turner;

H. R. 8937. An act permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black; and

H. R. 9371. An act for the relief of Merritt W. Blair, of Abbott, Harding County, N. Mex., or his transferees.

The message also announced that the Senate had passed with amendments a bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 10090. An act granting the consent of Congress to Alfred L. McCawley to construct, maintain, and operate bridges across the Mississippi and Missouri Rivers, at Alton,

Ill., on the Mississippi, and at or near Bellefontaine on the Missouri River.

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 amendment of the House of Representatives to the bill (S. 41) entitled "An act to encourage and regulate the use of aircraft in commerce, and for other purposes."

The message also announced that the Senate had passed with amendments the bill of the following title, had insisted on its said amendments, requested a conference with the House thereon, and had ordered that Mr. McLEAN, Mr. EDGE, and Mr. GLASS be conferees on the part of the Senate:

H. R. 2. An act 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 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House No. 27 to the bill (H. R. 7554) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1927, and for other purposes.

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

S. 2273. An act conferring jurisdiction upon the Federal District Court of the Western Division of the Western District of Tennessee to hear and determine claims arising from the sinking of the vessel known as the *Norman;*

S. 4052. An act authorizing James L. Borroum and Francis P. Bishop to bring suits in the United States District Court for the State of Kansas for the amount due or claimed to be due to said claimants from the United States by reason of the alleged inefficient and wrongful dipping of tick-infested cattle, and giving said United States District Court for the State of Kansas jurisdiction of said suit or suits;

S. 4073. An act to provide for the establishment of the Shenandoah National Park in the State of Virginia and the Great Smoky Mountain National Park in the States of North Carolina and Tennessee, and for other purposes; and

S. 4209. An act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the Committee had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4189. An act for the relief of the Chamber of Commerce of Montgomery, Ala., Jack Thorington, and 39 others;

H. R. 9346. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 292. An act to authorize the Secretary of Agriculture to acquire and maintain dams in the Minnesota National Forest needed for the proper administration of the Government land and timber;

H. R. 5242. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 5627. An act for the relief of George Turner;

H. R. 7482. An act to provide for conveyance of certain lands in the State of Michigan for State park purposes;

H. R. 8513. An act to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, Pa.;

H. R. 8937. An act permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black;

H. R. 10860. An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and to increase the efficiency of the Lighthouse Service, and for other purposes;

H. R. 9371. An act for the relief of Merritt W. Blair, of Abbott, Harding County, N. Mex., or his transferees;

H. R. 9037. An act validating certain applications for and entries of public lands, and for other purposes;

H. R. 10896. An act to provide for transfer of jurisdiction over the Conduit Road in the District of Columbia;

S. 2096. An act to validate payments for commutation of quarters, heat, and light, and of rental allowances on account of dependents;

S. 3440. An act to regulate the interstate transportation of black bass, and for other purposes;

S. 4070. An act granting the consent of Congress for the construction of a bridge across the Delaware River at or near Burlington, N. J.;

S. 4116. An act to extend the time for the construction of a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre to the Borough of Dorranceton, Pa.; and

S. 2475. An act to amend an act entitled "An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia," approved June 7, 1924.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL, 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 joint resolution:

H. J. Res. 134. House joint resolution authorizing the Cherokee Indians, the Seminole Indians, the Creek Indians, and the Choctaw and Chickasaw Indians to prosecute claims, jointly or severally, in one or more petitions, as each of said Indian nations or tribes may elect.

SHENANDOAH NATIONAL PARK AND GREAT SMOKY MOUNTAIN NATIONAL PARK

Mr. SINNOTT. Mr. Speaker, by direction of the Committee on Public Lands, I call up the bill (S. 4073) to provide for the establishment of the Shenandoah National Park in the State of Virginia and the Great Smoky Mountain National Park in the States of North Carolina and Tennessee, and for other purposes, a similar House bill having been previously reported from that committee and now on the calendar.

The SPEAKER. The gentleman from Oregon calls up the bill S. 4073, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That when title to lands within the areas hereinafter referred to shall have been vested in the United States in fee simple there shall be, and are hereby, established, dedicated, and set apart as public parks for the benefit and enjoyment of the people, the tract of land in the Blue Ridge, in the State of Virginia, being approximately 521,000 acres recommended by the Secretary of the Interior in his report of April 14, 1926, which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Shenandoah National Park; and the tract of land in the Great Smoky Mountains in the States of North Carolina and Tennessee being approximately 704,000 acres, recommended by the Secretary of the Interior in his report of April 14, 1926, which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Great Smoky Mountains National Park: *Provided,* That the United States shall not purchase by appropriation of public moneys any land within the aforesaid areas, but that such lands shall be secured by the United States only by public or private donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to accept as hereinafter provided on behalf of the United States title to the lands referred to in the previous section hereof and to be purchased with the $1,200,000 which has been subscribed by the State of Virginia and the Shenandoah National Park Association of Virginia and with other contributions for the purchase of lands in the Shenandoah National Park area, and with the $1,066,693 which has been subscribed by the State of Tennessee and the Great Smoky Mountains Conservation Association and by the Great Smoky Mountains (Inc.) (North Carolina) and with other contributions for the purchase of lands in the Great Smoky Mountains National Park area.

SEC. 3. That the administration, protection, and development of the aforesaid parks shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," as amended: *Provided,* That the provisions of the act approved June 10, 1920, known as the Federal water power act, shall not apply to these parks: *And provided further,* That the minimum area to be administered and protected by the National Park Service shall be for the Shenandoah National Park area 250,000 acres and for the Great Smoky Mountains National Park area 300,000 acres: *Provided further,* That no general development of either of these areas shall be undertaken until a major portion of the remainder in such area shall have been accepted by said Secretary.

SEC. 4. The Secretary of the Interior may, for the purpose of carrying out the provisions of this act, employ the commission authorized by the act approved February 21, 1925.

Mr. SNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNELL. As I understand it, this bill is on the House Calendar?

The SPEAKER. It is.

Mr. SNELL. Does not this provide an authorization for an appropriation to be made later? It provides for the administration, protection, and development of the park, and under that authorization the appropriation committee certainly could make appropriations for taking care of the park. If that is so, it certainly is a charge upon the Treasury.

Mr. SINNOTT. Mr. Speaker, that matter has been specifically decided in a similar case by Mr. Speaker GILLETT with reference to lands in Arkansas, and this bill does not make or require an appropriation. That, I understand, is the touchstone under the rule.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. SNELL. The gentleman does not maintain that under the authorization here the Committee on Appropriations could not make an appropriation for the protection and care of this park?

Mr. SINNOTT. Under a law providing for a criminal code, the Committee on Appropriations could make an appropriation to enforce that criminal code, and yet you would not say that a law providing for a criminal code must necessarily go on the Union Calendar. Under the rule, Mr. Speaker, the bill must show upon its face that it makes an appropriation.

Mr. CRAMTON. The bill on its face not only authorizes appropriations hereafter to be made but requires the expenditure of funds for the administration of this park, only contingent upon the presentation of the lands to the Government. As soon as the lands are presented to the Government, a new national park is created, and section 3 provides that immediately thereupon, as soon as the park is created, it has to be administered under the national park act.

Mr. SNELL. And they must spend money to do it.

Mr. CRAMTON. And they will immediately be compelled to utilize the funds of the National Park Service for that purpose.

Mr. GARRETT of Tennessee. Mr. Speaker, I rise to a point of order.

Mr. SINNOTT. Mr. Speaker, the gentleman's position is that it might involve an expenditure. Furthermore, Mr. Speaker, I understand that no point of order has been made.

The SPEAKER. The gentleman from Tennessee just rises to a point of order.

Mr. SINNOTT. Mr. Speaker, I make the point of order that it is too late to make the point of order against calling up this bill.

Mr. GARRETT of Tennessee. That was the point of order I intended to make. If the bill was improperly referred, the point of order should have been made when it was reported by the committee.

Mr. SNELL. But this is the first opportunity there has been to know about it.

Mr. GARRETT of Tennessee. Not if the gentleman had read the calendar.

Mr. SNELL. The copy of the bill that I have here says that it is on the Union Calendar.

Mr. TEMPLE. Mr. Speaker, it seems to me that the bill can not be said, in any sense, to authorize a change in the law which authorizes appropriations. The law authorizing appropriations for the national parks is already on the statute books, and this does not propose to change that law at all. It merely will add new territory to the territory administered by the National Park Service, but does not change the law authorizing appropriations for that purpose.

Mr. CRAMTON. Mr. Speaker, if the Speaker should hold that it is too late to make the point of order as to this bill, then I hope the Speaker will not commit himself as to the other questions involved. If the Speaker holds it is not too late to have the point of order made, I suggest, in connection with what the gentleman from Pennsylvania said, that there is an appropriation already made for the National Park Service for all its obligations. If this bill becomes a law and the gentleman's expectations are fulfilled and the Shenandoah National Park is created, then immediately upon its creation the National Park Service must commence to use money from the Treasury for the administration of that park under the national park act referred to in section 3. It not only authorizes, but it requires the use of money from the Treasury for the administration of the park.

Mr. TEMPLE. I think that point has already been ruled on, though not to-day.

Mr. SNELL. They certainly could not spend money on this piece of land without this particular measure, could they?

Mr. TEMPLE. They could spend money without an appropriation, but the appropriation is made regularly every year, and this will require no new authority for appropriations.

Mr. SNELL. But it will require additional appropriations for this park.

Mr. TEMPLE. So would an amendment increasing the appropriation, if offered when the appropriation bill was pending.

Mr. CRAMTON. Supplementing the suggestion of the gentleman from Tennessee, I call the attention of the Chair to the fact that the bill I have in my hand says that it is on the Union Calendar.

The SPEAKER. The Chair will state to the gentleman that that transfer was ordered to be made to the House Calendar, but it has not yet been printed. In the judgment of the Chair it is too late to make the point of order now against this bill. The question is on the third reading of the bill.

Mr. CRAMTON. Mr. Speaker, if the gentleman from Oregon will yield, I would like to ask the gentleman from Pennsylvania a question.

Mr. SINNOTT. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania.

Mr. TEMPLE. Mr. Speaker, I have no desire to consume time on this bill, but the gentleman from Michigan [Mr. CRAMTON] has a question or two that he wishes to ask.

Mr. CRAMTON. Mr. Speaker, the gentleman from Pennsylvania knows that I am heartily in accord with his desire as to these two parks, but I want some definite assurance as to just what we are getting. As I understand the situation, the commission of which the gentleman from Pennsylvania was the head recommended a certain area should constitute a new national park as soon as that area should be transferred to the Government without cost.

Mr. TEMPLE. Yes; on condition that it should be transferred in fee simple without any expenditure of money on the part of the Government of the United States.

Mr. CRAMTON. I have not studied carefully the bill which is before us. Under that bill is it certain that no such national park will be created until that land is transferred to the Government, or can the land be transferred, a small fraction of it, and then must there be an announcement of the creation of a new national park?

Mr. TEMPLE. The bill provides for the Smoky Mountain area with 150,000 acres, constituting about 225 or 230 square miles, which has been transferred in fee simple. That area may be taken to-day for protection—that is, put in fire trails, to keep out fires, and so forth—but there shall be no general development of roads and camp sites for the reception of the public until the major portion of the remainder has been transferred. That would make, when the original 150,000 acres and a majority portion of the remainder has been transferred, a park of about 660 square miles, which would be equal in rank to the first half dozen of the parks of the West.

Mr. CRAMTON. Then it is to be announced as a national park when they get the 150,000 acres?

Mr. TEMPLE. For administration.

Mr. CRAMTON. The very great danger the gentleman presents, and it is identical with the very serious situation we have now in at least two of our national parks, is because we have made the mistake of creating the parks with a great deal of private land either in them or necessary to their proper administration. As soon as you create a national park and advertise it accordingly the value of the other lands goes up, so that you will have a great deal of difficulty in acquiring them, and their presence mixed in with other land constitutes a very serious administrative problem, and I had understood that these two parks were not to be created as national parks until the title in fee simple to the land involved was turned over to the Government, and it was a surprise to me now to find it possible that with only a small portion of the land turned over, we are to have a new national park with all the difficulty surrounding private land that we already have in connection with the Rocky Mountain National Park and Glacier Park.

Mr. TEMPLE. Two hundred and fifty-five square miles can hardly be called a small area in the southern Appalachian.

Mr. CRAMTON. I mean as compared to the whole area proposed for the creation of the park.

Mr. TEMPLE. Let me make a general statement. The State of Tennessee has already made an appropriation of about $300,000. They take over an option on 115 square miles of ground belonging to the Little River Lumber Co. On the other side the Democratic State convention in North Carolina has indorsed the project and has practically pledged the State of North Carolina—the Democratic Party being in control of the State—to an appropriation which Senator Squires stated before the Public Lands Committee the other day runs be-

tween a million and a half to two million dollars. They have pledged in the State of Virginia——

The SPEAKER. The time of the gentleman has expired.

Mr. SINNOTT. I yield the gentleman five additional minutes.

Mr. TEMPLE. The State of Virginia has appropriated $200,000, and $1,200,000 has been raised——

Mr. CRAMTON. What is the gentleman's expectation as to the proportion of land that will be actually turned over before it is created as a park?

Mr. TEMPLE. One hundred and fifty thousand acres for administration purposes in the Smoky Mountains, and 250,000 acres——

Mr. CRAMTON. That is the minimum the law states, but I know the gentleman's familiarity with the situation, and I desire to ask him what amount of land does he expect will actually be turned over?

Mr. TEMPLE. I think we will have 600 to 650 square miles down in the Smoky Mountains and about 500 square miles in the Shenandoah.

Mr. CRAMTON. The gentleman expects that that will actually be turned over before it is announced?

Mr. TEMPLE. I do; and as a ground for that expectation, in addition to the appropriations already made, one member of our commission, Major Welch, assured the Committee on the Public Lands a few days ago that he had received voluntary proffers of contributions that would equal the total amount necessary for both parks. That puts something like $5,000,000 in sight. We have done a good deal of work on this thing in the last two years, and I think the Government should be very glad to get these parks on the terms on which it is getting them. [Applause.]

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, a similar House bill will be laid on the table.

There was no objection.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

MAMMOTH CAVE NATIONAL PARK

Mr. SINNOTT. Mr. Speaker, by direction of the Committee on Public Lands I call up the bill S. 4209, a similar House bill having been reported by the committee and placed on the House Calendar.

The SPEAKER. The gentleman calls up the bill S. 4209, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4209) to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes

Be it enacted, etc., That when title to lands within the area hereinafter referred to shall have been vested in the United States in fee simple, there shall be, and there is hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people, the tract of land in the Mammoth Cave region in the State of Kentucky, being approximately 70,618 acres, recommended as a National Park by the Southern Appalachian National Park Commission to the Secretary of the Interior, in its report of April 8, 1926, and made under authority of the act of February 21, 1925; which area, or any part or parts thereof as may be accepted on behalf of the United States in accordance with the provisions hereof, shall be known as the Mammoth Cave National Park: *Provided,* That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to accept, as hereinafter provided, on behalf of the United States, title to the lands referred to in the previous section hereof, and to be purchased with the funds which may be subscribed by or through the Mammoth Cave National Park Association of Kentucky, and with other contributions for the purchase of lands in the Mammoth Cave National Park area: *Provided,* That any of said lands may be donated directly to the United States and conveyed to it, cost free, by fee-simple title, in cases where such donations may be made without the necessity of purchase.

SEC. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," as amended: *Provided,* That the provisions of the act approved June 10, 1920, known as the Federal water power act, shall not apply to this park: *And provided further,* That the minimum area to be administered and protected by the National Park Service shall be, for the said Mammoth Cave National Park, 20,000 acres, including all of the caves: *Provided further,* That no general development of said area shall be undertaken until a major portion of the remainder in such area shall have been accepted by said Secretary.

SEC. 4. The Secretary of the Interior may, for the purpose of carrying out the provisions of this act, employ the commission authorized by the act approved February 21, 1925.

Mr. SINNOTT. Mr. Speaker, this bill covers the well-known Mammoth Cave area in Kentucky. The House bill was introduced by the gentleman from Kentucky [Mr. THATCHER], and therefore I yield to him 10 minutes.

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

Mr. THATCHER. I may not need 10 minutes in which to present this matter.

This bill is drawn in strict accordance with the recommendation made by the Southern Appalachian National Park Commission appointed under act of Congress of last February, which commission is headed by our colleague, Doctor TEMPLE. This commission, as directed by that act, made a survey not only of the Shenandoah area in Virginia, but also of the Great Smoky Mountains area in North Carolina and Tennessee, and the Mammoth Cave area in Kentucky; and as the result of its survey the commission recommended all three projects; that is to say, the commission recommended that these three areas be converted into national parks.

This bill which is now before you for consideration is the identical bill which passed the Senate yesterday by a unanimous vote and comes over here for our consideration. It is identical with H. R. 12020, introduced by me in the House and which has heretofore been favorably reported by the House Committee on the Public Lands.

The bill provides, in brief, that whenever a minimum of 20,000 acres involving all of the great caves there—one of which is known the world over as the Mammoth Cave and is also known as one of the seven wonders of the world, shall be conveyed to the United States without cost, the Secretary of the Interior, within his discretion, may accept these lands for national-park purposes. For purposes of protection and administration he may accept a minimum of 20,000 acres when same may be deeded to the United States for national-park purposes. There shall not be undertaken any general development of this area as a national park until a major portion of the remainder in the required area shall be similarly conveyed. The total area for the proposed Mammoth Cave National Park, as recommended by the Commission, is 70,618 acres.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. THATCHER. Yes.

Mr. CRAMTON. The gentleman knows that no Member of the House is more enthusiastic over park projects than I am. I am so enthusiastic that I do not like to see the name "national park" lessened in importance by the creation of minor projects. For that reason the great question in my mind is whether the Mammoth Cave area is of a character entitling it to be placed alongside the Yellowstone, the Yosemite, and the Grand Canyon, and the Shenandoah, or the Great Smoky areas. The bill provides for 70,618 acres as the area recommended by the commission. That would include the cave area and some additional areas that I am told have importance, more or less, as a recreational center, and because of its proximity to centers of population they have more importance than usual.

When you get into the bill itself that 70,000-acre proposition is pretty much done away with. The Secretary of the Interior is authorized to accept any acreage from 40 acres up. Finally, it is provided that the minimum area to be administered and protected by the National Park Service shall be 20,000 acres——

Mr. THATCHER. Including all the caves.

Mr. CRAMTON. Yes; including all the caves; when 20,000 acres, including all the caves, have been turned over to the Secretary of the Interior, he announces that this is the Mammoth Cave National Park.

Mr. THATCHER. He takes it over for administration and protection.

Mr. CRAMTON. It is not really a national park in any sense. I do not think we ought to create a national park there simply with an area of 20,000 acres. We have been led to think there will be 70,618 acres. As soon as 20,000 acres are announced as a national park the owners of adjacent private property put up their price on their land and cover their land with refreshment stands and other enterprises for money making in this adjacent area, interfering with administration. Thus raise the price of land so that it can not be reasonably secured. Therefore I think it is important that the plain purpose of the bill should be carried out, and that this should not

be announced as a national park until the 70,618 acres is turned over to the department.

I understand it is the attitude of the gentleman, and it is his opinion that, under the provisions of the bill, the Secretary of the Interior has the matter entirely in his discretion as to the acceptance of land, but when he accepts 20,000 acres he has to call it a park.

Mr. THATCHER. But he does not have to accept any. He is authorized to accept land in his discretion.

Mr. CRAMTON. But he has discretion to accept land.

Mr. THATCHER. Yes; any of it, under the bill.

Mr. CRAMTON. I have had some conferences with the gentleman and he has sought to overcome my objections to the bill. I have refrained from making a point of order by reason of the gentleman's requests and his suggestions. As I understand the gentleman is willing to assure the House that if this bill passes it is not the expectation, it is not the intention, and it will not be the event that a new national park would be announced until approximately 70,000 acres shall have been secured, or, at least, 60,000 acres, before the Secretary would be called on to announce the creation of a park.

Mr. THATCHER. I am willing to make that assurance as far as I am concerned, and I think that is the view of the other supporters of the bill; although, under the terms of the bill, we contend that the phrase "in his discretion" will cover that. However, we are willing to state that for the gentleman's benefit.

Mr. CRAMTON. The gentleman gives that assurance, that the park shall not be created until approximately 70,000 acres are acquired.

Mr. THATCHER. The gentleman said 60,000 acres, and I am perfectly willing to give that assurance, so far as I am concerned. We desire to have an adequate area.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. THATCHER. Yes.

Mr. LAGUARDIA. The main attraction, of course, is the cave itself, the same as at Adelsberg, Austria, and Capri, on the island of Capri; and once the Government is assured of access to this cave and sufficient surrounding territory, the idea is to preserve this cave as a national park?

Mr. THATCHER. Yes. There are 15 or 20 of those caves. The old Mammoth Cave is a single cave, or cave system, but in the last 15 years a number of additional caves, or cave systems, the equal of the old Mammoth Cave, have been discovered; and it would be, I think, a crime to permit the opportunity to go by unheeded of having these lands conveyed to the Federal Government for national-park purpose. Then, my colleagues, there is another consideration which is a very important one. The old Mammoth Cave is owned—at least the life estate is owned—by an old lady who is more than 90 years of age. Under a will which was written and probated 75 years ago she is the last survivor of several legatees, and this particular property must be sold at public auction when she dies. So it is of the utmost importance that this measure shall become a law at the earliest possible moment so that the friends of this project may at once begin an intensive campaign for money with which to buy the old Mammoth Cave property upon the event of her death, which may take place at any time on account of her age, and thus prevent this property from passing into the hands of speculators. Also, we must make such campaign and secure the necessary funds with which to purchase all of the other lands, including the various cave units necessary for this park. I therefore appeal to you to-day to stand with me and with the other friends of these three great projects in creating a system of national parks east of the Mississippi River in the midst of the most populous section of America. [Applause.]

Mr. Speaker and Members, it may be said that a city is largely measured by its system of parks. The same is true of the State and of the Nation. In the United States and its possessions there has been created a great system of national parks, 19 in number. With a single exception—that of Lafayette National Park, a small park lying on the coast of Maine—all of our national parks lie west of the Mississippi River; and practically all of them west of the eastern rim of the Rockies. Two of them are situated in distant territorial possessions of the United States—Mount McKinley National Park in the frigid regions of Alaska, and the Hawaii National Park in the tropic isles of Hawaii.

Permit me to indicate the areas of some of our national parks. Our smallest national parks are, Sully's Hill, in North Dakota, with an area of 774 acres; Platt, in Oklahoma, with an area of 851 acres; and Hot Springs, in Arkansas, with an area of a little more than 900 acres. Our largest national parks are: Yellowstone, in Montana, Idaho, and Wyoming, with the stupendous area of 3,348 square miles, or 2,142,720 acres; Glacier, in Montana, with an area of 1,534 square miles, or 981,760 acres; Yosemite, in California, with an area of 1,512 square miles, or 967,980 acres; and Grand Canyon, in Arizona, with an area of 958 square miles, or 609,120 acres. Also, with the exception of Lafayette National Park, the lands of which were donated to the United States Government for national-park purposes, all of the national parks have been carved out of the national domain. However, the public lands thus converted into national parks were assets of the Federal Government just the same as are funds in the United States Treasury.

Our oldest national park is that located at Hot Springs, Arkansas, which was established in 1832. The next oldest, and the largest of them all, is Yellowstone National Park, established in 1872. Three were established as late as 1919—Grand Canyon and Lafayette National Parks, already mentioned, and Zion National Park, in Utah.

While it is true that all of our national-park areas—with the exception of the donated lands of the Lafayette National Park—were public lands of the United States, it is also true that the Federal Government has expended, in the improvement and maintenance of our national parks, a very large total of public funds. In fact, up to and including the 30th day of June, 1925, the total expended by the National Government for their improvement and maintenance was about $13,400,000; while the total of revenues derived from their operation was about $4,514,000. In other words, we have expended on our national parks, from their establishment up to June 30, 1925, about $8,886,000 more than the total receipts derived through their operation. Yet, because of the great value of national parks to our people, we have believed such expenditures to be of the wisest character.

The great national parks of the Rocky Mountain and Western regions, and those in Alaska and Hawaii are very wonderful. They contain a marvelous variety of mountain, valley, canyon, and forest scenery. Each, in a particular way, stand first in its class among the world's scenic wonders. In the Grand Canyon National Park is to be seen the most stupendous, the most colorful, the most awe-inspiring system of canyons and gorges in all the world; Yosemite stands unrivaled in its sentinel peaks, waterfalls, and blooming valleys; Mount Rainier with its great height, its tremendous glaciers and flower-carpeted slopes, constitutes an unanswered challenge of mountain dignity and beauty; Sequoia with its groves of the oldest and most majestic forest growths to be found anywhere on the earth's surface has no peer in its class; Glacier, Rocky Mountain, and Mount McKinley National Parks, through all-compelling grandeur, make their everlasting appeal; the Mesa Verde National Park, with its evidences of a prehistoric people, has the power to transport us into the far-distant regions of a mystical past; the Hawaii National Park, containing as it does, the earth's greatest extinct crater, and the largest active volcano, and set, as it is, in the loveliest imaginable frame of tropical verdure and rainbow seas, has no rival of its kind anywhere; and the Great Yellowstone National Park, with its great geyser systems, with its mammoth hot springs and terraces, with its high peaks, its wide forests, its jeweled canyons, its noble lakes, and its vast area stands forth as a park unit of the first magnitude, and in many ways is unapproached. Then there are the other and smaller national parks, with their distinctive features of commanding interest.

In this connection I will say to my distinguished colleague from Michigan [Mr. CRAMTON], and to all others, that this marvelous underground world in Kentucky is, in every way, as wonderful and awe-inspiring, as unique and distinctive, as is the Yellowstone region, the Yosemite region, or the region of the Grand Canyon, or any other area within our entire national park system. In fact, the one thing needful to complete the infinite variety of our national parks is the inclusion of a great system of caves and caverns, such as is to be found in the incomparable Mammoth Cave region of Kentucky.

Our national parks are of such diverse character that they can hardly be considered as rivals. Like the stars of the heavens it may be said of them that they only differ from each other in glory. Roadways and trails have been constructed within them, hotels and camps have been erected and are maintained within their bounds, and they constitute great recreational grounds of the Nation. Yet, because practically all of them lie so far away in the West, or so far off in our territorial possessions, compared with our Nation's total population, only a small percentage of our people ever visit them, and only a relatively small number of our population ever see a national park throughout the course of their lives. In the year 1924, the total number of visitors to all of our national parks was about 1,422,000. Only 62 visitors went to Mount McKinley National Park in Alaska in that year, though the Federal Government has already expended more than $35,000 in its improvement and maintenance.

The great bulk of our American population is to be found east of the Mississippi, the great preponderance of our Federal taxes is paid by those living east of the Mississippi River, but to the greater number of these the national parks of the country are, for all practical purposes, altogether inaccessible. The need for great recreational grounds between the Mississippi and the Atlantic seaboard is manifest and paramount. If national parks in the West are worth while, they will certainly prove to be worth while in the East. This great need has been finally recognized by the legislative and executive branches of our Federal Government. Three great national park projects have thus been brought before the Congress for consideration. One is the Shenandoah project, covering, in its ultimate area 521,000 acres, and lying in the Blue Ridge-Shenandoah section of Virginia, almost within sight of the Nation's Capital. The second is the Great Smoky Mountains project, covering about 704,000 acres, in the rugged mountains of that name, lying in North Carolina and Tennessee. You have just accepted the Senate bill providing for their creation.

The third is the Mammoth Cave project, covering about 71,000 acres, situated in Kentucky, and containing Mammoth Cave and all of the other cave systems of that unrivaled underground world. The bill providing for the creation of this park you are now considering.

These three projects are eminently eligible for national parkhood. They measure up to the high standard of excellence prescribed by former Secretary of the Interior Franklin K. Lane, who declared that in the establishment of national parks the effort should be made to find—

scenery of supreme and distinctive quality, or some natural feature so extraordinary or unique as to be of national interest and importance—

And to seek—

distinguished examples of typical forms of world architecture, such, for instance, as the Grand Canyon, as exemplifying the highest accomplishment of stream erosion.

In the proposed Shenandoah National Park area there rise in softest beauty the Blue Ridge Mountains, supporting a wonderful variety of forest growth and plant life, flanked by lovely valleys, and situated in a section of our country nobly rich in historic interest. This park would especially serve the people of the North and Middle Atlantic and Appalachian States.

In the proposed Great Smoky Mountains National Park area are to be found the great mountains for which this range is noted, the loftiest and most rugged of all within the limits of continental United States, except those west of the Mississippi. The location would especially serve the people of the Middle and South Atlantic and Southeastern States.

In the proposed Mammoth Cave National Park are to be found the greatest cave systems of the entire earth, one of which, Mammoth Cave, with its unrivaled heights, depths, and ramifications, is known to every intelligent school child around the globe, and for more than a century has been called one of the seven wonders of the world. Yet, this much-famed cave is but one of many great caverns in this immediate section; and it is now proposed to include all of them in the proposed national park, together with contiguous areas containing great hills and rugged scenery, and some of the finest virgin forests in America.

In addition, this park will have flowing through it for miles, Green River, a very deep and lovely stream, navigable for steamboats throughout the year. This region is accessible every day of the year by river, by rail, and by roadway; and its underground realm may be visited every hour of every day of the 12 months. This park will be near the center of our American population, and would especially serve those living in the Southern and Mid-Central sections of our country. Its attractions are already "sold" nationally and internationally, and with its great accessibility, and its all-year appeal, it would in all probability prove to be the most frequented and popular of all our national parks, and the one which would probably yield, through the usual rents, fees, and concessions the greatest income of any of our national parks. In addition, these three parks would be visited by people from every section of our country, and by hosts from foreign lands.

Under the act of Congress approved at the last session, to which I have already referred, and in accordance with its direction, these three regions were visited and carefully studied during the past year by the Southern Appalachian National Park Commission touching their worth as national-park projects; and recently all three of them received the unequivocal approval of this commission, which is composed of the following members: Hon. H. W. TEMPLE, Member of Congress from Pennsylvania, chairman; Maj. W. A. Welch, chief engineer and general manager of the Palisades Interstate Park of New York and New Jersey; Mr. Harlan P. Kelsey, former president of the Appalachian Mountain Club, of Boston, and well-known landscape architect; Mr. William C. Gregg, of the National Arts Club of New York, and a student of recreational agencies; and Col. Glenn S. Smith, acting chief topographic engineer of the United States Geological Survey, and representative of the Interior Department on the commission.

The commission on the 8th of April, 1926, made its unanimous report to the Secretary of the Interior, declaring all three projects eminently worthy of inclusion in our national-park system, and recommending that such inclusion be made upon the condition that the necessary lands be conveyed to the United States free of cost. The commission also, in its report, set forth the boundaries and areas which should be so acquired for national-park purposes as to the three projects. This report was transmitted to the Congress by the Secretary of the Interior on April 14, 1926. These commissioners served without charge, and have rendered a splendid and unselfish service.

From the report of this commission it appears that through State and private enterprise there has been subscribed and appropriated a total of $1,200,000 for the purchase of the required lands for the proposed Shenandoah National Park; that there has been similarly subscribed and pledged something more than $1,000,000 for the purchase of needed lands for the proposed Great Smoky Mountains National Park; and that there have been tendered 3,629.13 acres of cave and surface lands in the Mammoth Cave region, including Colossal Cavern, for the purposes of the proposed Mammoth Cave National Park. The estimated value of the cave lands thus far offered is $500,000. In Virginia, Tennessee, North Carolina, and Kentucky there have been created corporate bodies which have in charge the matter of raising funds and the securing of lands for these park projects, that in Kentucky being known as the Mammoth Cave National Park Association; and it is proposed by the friends of the three projects that all the needed lands, as set forth in the report of the commission referred to, shall be secured and conveyed to the United States Government free of cost, for the purpose of creating these parks. This work must continue until all the needed funds and lands are secured. The total estimated cost of the three projects is about $8,000,000; and the estimated cost of the required area for the proposed Mammoth Cave National Park, is something like $2,000,000. The bill you have just approved, and the bill you are now considering, are based on this report and provide for the establishment of these parks when the needed areas are thus donated for such purposes. Under the terms of these bills the Federal Government will, therefore, be subjected to no outlay unless, or until, the required areas are conveyed to it free of cost for national-park purposes.

Thereupon Federal funds will be used in the building of roads and in the improvement of these parks, although the improvement cost in the Mammoth Cave National Park will be quite small as compared with the cost of improvements in the other two projects. Too much praise can not be given to those who have undertaken the great task of raising these funds and securing donations of needed lands.

In 1924 those constituting the membership of the Southern Appalachian National Park Commission, then serving under informal appointment made by the Secretary of the Interior as members of the Southern Appalachian National Park Committee, made a study of the Shenandoah and Great Smoky Mountains National Park projects and reported favorably thereon. Their recent report, made agreeably to the act of Congress, was confirmatory of the previous report made by such committee. The Mammoth Cave National Park project also has had the amplest official approval. In addition to that just given it by the commission referred to, Mr. Stephen T. Mather, then, as now, Director of the National Park Service, in his annual reports of 1918, 1919, and 1920, gave his approval thereto, and went so far as to suggest the appropriation of public funds for the purpose of buying the needed lands therefor. Also, in June, 1924, the present Secretary of the Interior, Hon. Hubert Work, in an official statement declared that "the Mammoth Cave is one of the most widely known natural features of America," and that "unquestionably, it is worthy of national-park status."

The time is therefore ripe for the creation of an adequate system of national parks east of the Mississippi River, and in these three projects this great necessity will be met. By their creation the present and all future generations will be blessed. In Nature's touch there is everlasting healing, and in the mad rush of our American life there is the ever-present need for turning away from the seething thoroughfares into the great quiet spaces where solitude and the unsullied beauty of mountain, valley, and forest may steal away the cares that ever beset us.

If these proposed national parks are established, then in the Blue Ridge fastnesses of Shenandoah, in the rugged altitudes of the Great Smokies, and in the awe-inspiring depths and reaches of the Mammoth Cave region of Kentucky, and in the sylvan loveliness of that region unnamed millions of our people, now, and in the days to follow, may come to know in fuller, richer measure the lessons of truth, and beauty, and restfulness which nature in her best and most interesting moods may teach us.

The bill we are now considering (S. 4029) is the duplicate or companion bill of that introduced by me in the House (H. R. 12020), which has heretofore been considered and favorably reported by the House Committee on Public Lands. Because of the fact that S. 4029 has already passed the Senate, and because the House bill has been favorably reported and is on the House Calendar, it is possible under parliamentary procedure to take up immediately, as we are now doing, the last-named bill and finally act upon it.

In enacting these measures providing for the creation of these three great national parks east of the "Father of Waters" we shall be performing for America, and for the world at large, a rare and splendid service. We are to-day dealing with the great subject of conservation, as well as with that of recreation. The addition of these three units to our national-park system will greatly increase the value of the whole; and I respectfully submit that the Mammoth Cave National Park, with its unrivaled undersurface world, with its lovely navigable streams, with its great virgin forests, with its picturesque and rugged hills, with its all-year accessibility, with its nearness to our center of population, and with its great fame at home and abroad, may prove to be the capstone and crown of the entire system.

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

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar House bill was laid on the table.

Mr. BARKLEY. Mr. Speaker, in view of the fact that the gentleman in charge of the bill had promised me some time in behalf of it and in view of the fact that I thought it wiser not to speak, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARKLEY. Mr. Speaker and gentlemen of the House, I arise for the purpose of giving my unqualified support in behalf of making the Mammoth Cave region of Kentucky into a national park. I am glad of the opportunity to assist in the passage of this measure. For many years I have believed that this great natural wonder in the Blue Grass State should be given suitable recognition; that nation-wide attention ought to be given to the wonders and beauties of Mammoth Cave, and the numerous other caves of that region of the State, for no such natural phenomenon exists in any other part of the world.

The Mammoth Cave is the most widely known and the largest of an unusual group of limestone caverns which have been opened up by exploration over a period of many years. Included in these caverns are Dixon Cave, Mammoth Onyx Cave, Diamond Cave, the Cave of the Hundred Tombs, the Great Crystal Cave, Long Avenue Cave, Proctor Cave, Salts Cave, Colossal Cavern, and the Great Onyx Cave, and many others which I need not mention. Attention was called to this cave region of Kentucky in 1925, in connection with the tragic circumstances leading to the death of Floyd Collins. These caves, in addition to their own intrinsic beauty, are situated in territory admirably adapted to national-park purposes. The surrounding territory is one of great natural beauty. Hundreds of thousands of people have come from all parts of the world to visit the great Mammoth Cave, one of the seven wonders of the world. Unless this property shall be obtained by the Government within the near future it may fall into the hands of speculators because of a will made more than 75 years ago providing that the property shall be sold at public auction after the death of the last surviving heir who is now more than 90 years of age.

It was my pleasure and privilege to accompany the members of the Mammoth Cave National Park Association to see the President of the United States in behalf of this proposed national park, and also urge, with them, the approval of the Secretary of the Interior and the commission appointed to consider the matter.

There is no great national park at present east of the Mississippi River, and the people of that section of our country ought to have the privilege of enjoying its natural wonders; and it affords me peculiar pleasure to give my enthusiastic support to this proposal on the floor of this House, and in as much as it will soon go to the President for his consideration, I trust he will accord it his prompt approval.

THE GREAT SMOKY MOUNTAIN NATIONAL PARK

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks on one of the national park bills just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WEAVER. Mr. Speaker, for many years the subject of the creation of one or more national parks in eastern America has been more or less discussed. It remained, however, for the present Secretary of the Interior, Hon. Hubert Work, actively to project the present effort looking to the consummation of this purpose. This bill, H. R. 11287, introduced by Representative HENRY W. TEMPLE, of Pennsylvania, provides for the establishment of two great parks in the eastern Appalachian Mountains, one in the State of Virginia, known as the Shenandoah National Park, and the other in the mountains of North Carolina and Tennessee, to be known as the Great Smoky Mountain National Park. Another bill introduced by Congressman THATCHER, of Kentucky, seeks to convert that great natural phenomenon, the Mammoth Cave of Kentucky, together with numerous other caverns of wondrous beauty and interest, into a third national park.

I am more familiar with the area sought to be included in the Great Smoky Mountains National Park than with either of the others. I have no doubt that the Shenandoah Valley Park is of superb and commanding beauty. I know that the natural wonders of the great caverns of Kentucky are most worthy of preservation by the National Government. But it is my purpose to call the attention of my colleagues particularly to the Great Smoky Mountains area.

Some two years ago Secretary Work created an unofficial commission to consider the feasibility of creating two or more national parks in eastern America. This commission was composed of Congressman H. W. TEMPLE, of Pennsylvania; Maj. W. A. Welch, chief engineer and general manager of the Palisades Interstate Park of New York and New Jersey; Mr. Harlan P. Kelsey, former president of the Appalachian Mountain Club of Boston and a well-known landscape architect; Mr. William C. Gregg, a prime mover of the National Arts Club of New York and a student of recreational development through parks, and Col. Glenn S. Smith, acting chief topographic engineer of the Geological Survey, the representative of the Interior Department on the commission. These gentlemen at their own cost and expense spent a large part of the summer of 1924 in visiting all areas that might be properly considered in this project. This commission is composed of experts, men who are acquainted with all of our great national parks; men who understand the standards requisite for a great national park, and everybody has confidence in their judgment.

They reported to the Secretary that in their opinion the Shenandoah Valley area and the Great Smoky Mountains embraced areas worthy of being received into our national-park system. In referring to the Smoky Mountains this report stated that in point of massive grandeur it was unsurpassed by any mountain area east of the Mississippi River and in fact that it compared most favorably in all respects with the great parks now established in the Rocky Mountains and elsewhere in the West.

This report was followed by legislation enacted by the Congress in 1925 directly authorizing the Secretary of the Interior, through the commission to be appointed by him, to get all the facts and data necessary to be considered in creating one or more national parks. Again, a thorough survey of the country was made by these experts, and on April 8, 1926, they reported to the Secretary of the Interior advising that it was feasible to establish national parks in the Shenandoah Valley area and the Smoky Mountain area and to include the territory contiguous to the Mammoth Cave. Secretary Work, as directed in this legislation, made his report to Congress on April 14, 1926, in which he made the definite recommendation that these parks shall be established and included, by definite descriptions, the areas within which they should be located. This bill, therefore, which seeks to create these national parks has had very full consideration for more than two years by the Secretary of the Interior and by this expert commission and comes to the Congress with their full, complete, and enthusiastic recommendation. I sincerely trust that this legislation may be passed at this session.

The bill does not provide that these lands shall be purchased from money appropriated from the Treasury but that the Federal Government shall accept the respective areas as national parks when title is acquired and the lands are turned over to the Government. The State of Virginia, through its citizens and through an incorporation created for that purpose, has taken subscriptions amounting now to more than $1,200,000 for the purpose of purchasing the land in the Shenandoah Valley area to be donated to the Federal Government and to be received by the Federal Government when as much as 250,000 acres shall be acquired. Similarly the citizens of North Carolina and Tennessee organized their respective incorporations, known as the Great Smoky Mountains Conservation Association for the State of Tennessee and the Great Smoky Mountains (Inc.) for the State of North Carolina.

Together these two organizations have received subscriptions and donations for the purpose of acquiring titles to the necessary lands embraced in the Smoky Mountains, amounting at this time to about $1,130,000. This money has been largely raised through local campaigns. It is proposed to increase the amounts necessary for both of these great projects by a nation-wide campaign, and already it is assured that large sums will be contributed by wealthy and interested men and women of the United States to carry forward this project. The enactment of this bill will contribute immensely to the consummation of the great purpose of acquiring for the growing populations of the East these great outdoor areas for the health, recreation, and happiness of all the people of the Nation.

I would like to impress upon this House the earnestness with which the people of Virginia, North Carolina, and Tennessee have worked and striven in order to raise this money for this purpose. It has amounted almost to a crusade; they have been so eager in North Carolina and Tennessee to acquire these primeval forests in the Great Smoky Mountains and preserve them under the control of the National Government as a great park. Organizations of men and women have been formed in every community to forward this project. Certain quotas were allotted to certain counties, cities, and towns in order to raise the money required. Some of this money has been contributed by school children and all of it by individuals and civic and municipal organizations. The State of North Carolina proposes at its next session of the legislature to provide an appropriation for further help in this matter. I merely point to this situation to show the willingness of our people to help themselves, and I trust that this spirit so exhibited by them may be met by a spirit of cooperation by the Congress which must now act on this matter.

As to the Smoky Mountain area the report of the Secretary of the Interior in the bill contemplates a park to be included within the limits of a definite boundary that totals 704,000 acres. It is not the purpose to acquire all of the 704,000 acres, but merely that the park shall be included within that area. When as much as 150,000 acres have been acquired and donated to the Federal Government it shall take charge of the area for the purpose of protection and administration, and when the major portion of 704,000 acres has been acquired it shall pass to the Federal Government to be developed and administered under our national park laws. One purpose of including in the boundary a larger portion than will be taken over is that the creation of the park will not be restricted to an exact and definite area, so that there may be more freedom and opportunity to acquire these lands without conflict with private ownership as to prices. Probably an area of ground 400,000 acres in the Great Smoky Mountain area will be ample for the purposes of this park. This would be about one-half of the area outlined in the report of the Secretary of the Interior. It should embrace and would embrace the massive divide and outflung ridges of the Smokies, including mountains like Mount LeConte, Mount Guyot, Clingman's Dome, Gregory Bald, Thunderhead, Siler's Bald, and other peaks that tower more than 6,700 feet in height. There are in fact in this vast range peaks that are yet unnamed that are higher than Mount Washington. Altogether there are more than 800 square miles of this wonderful area and its surroundings, flanked by still other vast and continuing ranges. A reasonable amount of this should be acquired for the purpose of a national park, and, in my opinion, the remaining portion should be purchased by the United States Government, adjoining and surrounding it under the Weeks Act for the purpose of forest administration, where scientific forestry may be practiced. All of it would constitute a vast conservation area that would be unequaled upon the American continent.

All of the great parks of the United States are situated west of the Mississippi. There are some 18 of them altogether. The most important of our national parks are the Yellowstone, in Montana, Idaho, and Wyoming, with the stupendous area of 3,348 square miles, or 2,142,720 acres; Glacier, in Montana, with an area of 1,534 square miles, or 981,760 acres; Yosemite, in California, with an area of 1,512 square miles, or 967,980 acres; and Grand Canyon, in Arizona, with an area of 958 square miles, or 609,120 acres.

We have spent altogether up to this time about $13,400,000 for the improvement and maintenance of these parks. The total revenue derived therefrom has been $4,514,000. But these parks are of priceless value, and the expenses in connection with them is freely and gladly borne by the people of the United States. In undertaking the creation of the Shenandoah and Great Smoky Mountain National Parks, Secretary Work stipulated that the money should be raised by other sources than from the Federal Treasury, for the reason that there was no precedent for the purchase of national parks by the Government. And yet all of the great national parks of the West have been created from the public domain. While there has been no direct contribution from the Treasury by way of money appropriations, we have appropriated property most valuable and which would undoubtedly have been sold for millions of dollars. In this case, however, we are undertaking to raise all of the necessary money from State and private subscription, and yet I can well conceive that it would be an investment of enormous value even if it was necessary to appropriate ten or fifteen million dollars from the National Treasury in order to acquire these great park areas. We know that our brethren of the West will join with us in this great enterprise, and we feel that we will have not only their support but their enthusiastic support of this legislation.

The 18 national parks are situated west of the Mississippi, where there is only about 25 per cent of the population of the United States. It is now desired to establish these three areas in the eastern United States, within easy reach of its vast and growing populations, where more than 80 per cent of the people reside. The Great Smoky Mountain area, the greatest mountain wilderness east of the Mississippi, massive in its proportions, and covered with primeval forest, instead of being in some remote part of the Nation, is, in fact, very near to the center of population of the United States. The center of the population of the United States is in Bloomington, Ind., a comparatively short distance from the Great Smoky Mountains of North Carolina and Tennessee. This area can be reached by rail and automobile from every Eastern State, from every Southern State, and from every State east of the Mississippi without any long and enduring journey. To visit the great national parks of the West now requires days and weeks of travel, and while their beauties and grandeur are superb there are comparatively few people of the United States who can undertake this journey, from lack of time or want of means. With these great parks established in the East they would be open to her teeming population. It would be the Mecca for her millions of people in quest of health and pleasure and recreation.

But how few there are who know or have the slightest conception of the area that is embraced in the territory to be acquired in the Smoky Mountain area. Its very remoteness and lack of roads has preserved it in its primitive grandeur, but now with the coming of roads and means of transportation, unless steps shall be taken to keep it as God gave it to us, its glory, its wonders, and its attractive beauties, its primeval forests and wonderland of flower and shrub and tree will not survive the attack and the inroads which will be made upon them.

Concretely it is proposed to set aside in the Great Smoky Mountains of North Carolina and Tennessee some 400,000 acres so as to preserve for posterity a typical and primitive area of the great Appalachian chain. The Appalachian range of mountains extends roughly from the Canadian border to Alabama. In length it is about 1,500 miles and in width from 1 to 300 miles. From the standpoint of geologic history this is the oldest land on the American continent. Compared with the Great Smoky Mountains in point of age the Rocky Mountains are in their swaddling clothes. The Smokies were old when the great forces of nature pushed upward the gigantic ridges and towering cones of the Rockies. Through countless geologic ages the great Architect of the Universe carved and molded and chiseled the great canyons and domes and peaks of the Smokies and molded them as we find them to-day. Through other countless ages the same great Architect has woven and fashioned for them a magnificent garment of verdure—an illimitable forest of spruce and hemlock, poplar and chestnut, beech and maple, with every species of shrub and plant and flower. In fact, this is the last of the great primeval forests of the eastern Appalachians. Only its remoteness has preserved it. The summits of these mountains are clothed with Canadian fir or bal-

sam that there are not found again in the wide stretch to the forests of Canada, for it loves a cold and bracing climate. The mountain sides are heavily clothed with chestnut and great tulip or poplar trees and hickory and every variety of maple and birch. Some of these great tulip trees are 8 and 10 feet in diameter. In the vast coves along the numberless streams you will find great forests of hemlocks. Some of these great masters of the forests were there when Columbus with his ships of discovery first touched American shores. Some of them look like prehistoric monsters covered with age-old moss.

This is the forest primeval. The murmuring pines and the hemlocks,
Clad in their garments of green, indistinct in the twilight,
Stand like Druids of Eld, with beards that rest on their bosoms.

We would like to preserve for posterity some of this great forest. And then it is the natural home of the rhododendren and the laurel and a hundred other plants and flowering trees. And you may see hundreds of acres of rhododendrons, springing among the rocks and bowlders of the mountain sides, and at this season of the year covered with countless myriads of purple blossoms, like a veritable garden of the gods.

And from all these mountain sides there continually pour forth innumerable waters from a million springs that gather themselves together and form the streams that water the valleys below.

This area is the very culmination of the great Appalachian Range. It is the roof of eastern America. It is here this range reaches its most majestic proportions and flings itself in the widest area of untamed and primeval grandeur. There are more than a dozen peaks in the proposed area higher than Mount Washington. Mount Guyot, LeConte, Clingman's Dome, Gregory's Bald, Thunderhead—what a mighty galaxy of mountain gods—and other great summits rise more than 6,700 feet into the upper air. As Governor Taylor, of Tennessee, once said, they are so high you can stand upon their summits and tickle the feet of the angels. In point of sheer relief they compare most favorably with the Rockies themselves. Pike's Peak rises some thirteen or fourteen thousand feet above sea level, but it rises from a plane of more than 7,000 feet. Clingman's Dome and LeConte and many peaks of the Smokies rise nearly 7,000 feet from a general plane of 1,000 or 1,500 feet, so that in sheer altitude, they compare most favorably with the great peaks of the Rockies.

And there is something vague and indefinite and awe inspiring about these great hills. I doubt even if the most adventurous mountaineer, though acquainted with them, has ever penetrated to their innermost recesses. As pointed out by Mr. Horace Kephart, even these sturdy mountaineers look upon them with a sense of awe and veneration. In his vernacular they are always just "the Smokies." This term, to the men whose lives have been lived in or near them, carries with it a sense of remoteness, of wildness, and, above all, an inspiration born from their massive and superb grandeur and their great canyons which the foot of man has not yet touched. This great divide, in an unbroken stretch, carries itself more than a mile in sheer altitude, and upon each side are flung vast and illimitable ridges and escarpments that challenge the admiration of every visitor and draw him back with irresistible force. As you gaze upon this mighty conglomeration of uplifted hills, one bows himself in reverence before the Omnipotent Power that was capable of so vast a demonstration of creative strength. To preserve these great mountains with their primeval woods and convert a reasonable amount of this area into a national park, from the standpoint of conservation, would be of immeasurable value.

Conservation of national resources is national economy, just as conservation of private resources is personal economy.

We are to-day trying to solve the question of Muscle Shoals, which is admitted to be one of the greatest water-power developments of the world. The creation of this national park would tend directly to maintain the flow of waters at Muscle Shoals, for in this area countless streams are born that contribute to the Tennessee. It is here that they spring from thousands of coves and mountain sides and dash down in their tumultous youth to form the rivers below. It is here that their youth is continually renewed by the snows of winter and rains of summer. These streams are clear and sparkling and beautiful.

They are the natural home of the mountain trout, and if conserved would yield immense pleasure to the people of eastern America. This whole area is a mighty sponge adapted by nature to receive and to hold the rains and snows, and instead of dashing them down in tumultous floods to feed them gently and continually into the streams below. While furnishing pleasure and health and recreation, the conservation of this great area by the establishment of a national park would contribute directly to industry, and the water so preserved would help to generate electric power for the people and drive countless wheels of industry.

There may be some who may say that it is not important for the National Government to create national parks, but we are turning more and more to the out of doors. Populations are beginning to crowd. We have had, it is true, great stretches of wilderness in riotous abundance, but now they are disappearing. It is not only important but it is necessary to look to the future.

Hon. James Bryce, ambassador to the United States, in a speech delivered in 1912, said:

There is one thing better even than the city beautiful, and that is the country beautiful. I have had a great deal of experience in England in dealing with these questions; for some years I was chairman, and afterwards a member, of a society for preserving commons and open spaces and public rights of way, and member of another society for securing to the public places of national and historical interest, and in the course of such membership I have been led often to think of what is our duty to the future, and of the benefits which the preservation of places of natural beauty may confer on the community. That is a problem which presents itself not only in Great Britain but all over Europe, and what Europe is that toward which you in America are tending. Europe is a populous, overcrowded continent; you will some day be a populous and ultimately perhaps even a crowded continent, and it is well to take thought at once, before the overcrowding comes on, as to how you will deal with the difficulties which we have had to deal with in Europe, so that you may learn as much as possible from our experience, and not find too late that the beauty and solitude of nature have been snatched from you by private individuals.

And in this same address it is a curious coincidence that Mr. Bryce referred to this very Smoky Mountain area as a desirable addition to our national parks. He said:

Now, a word about additional parks. Although you have done splendidly in creating these I have mentioned and some others, there are still other places where national parks are wanted. There is a splendid region in the Alleghenies, a region of beautiful forests where the tulip trees grow to 150, 200 feet, or more, a mountain land on the borders of North Carolina and east Tennessee, where there are romantic river valleys and hills clothed with luxuriant woods, primitive forests standing as they stood before the white man drove the Indians away, filled with flowers and traversed by sparkling streams, containing everything to delight the heart of the lover of nature. It would be a fine thing to have a tract of three or four hundred thousand acres set apart here for the pleasure of the people of the South and Middle Atlantic States, for whom it is a far cry to the Rockies.

The setting aside of this area is necessary because of the vast increase of population. People are beginning to crowd upon themselves. More and more they are turning to the outdoors for health and recreation and life itself, for nature is the mother of us all, and contact with nature and the out of doors is still the sovereign remedy for the ills of man, both physical and mental. For this purpose there is no place in eastern America that surpasses the Great Smokies. It is within easy reach of more than 60,000,000 of our people. It should be taken over as a common property for them and as an area in which every man, rich and poor, through ownership of his Government, may feel that he owns a potential interest in this great area, upon which he may gaze with a sense of proprietorship.

It will be valuable as a great outdoor museum. One purpose of this project is to set aside a typical area of the great Appalachian Range and to preserve it and keep it undisturbed just as God gave it, so that the scientist through coming generations can visit this great laboratory of God and read here a line and there a line—such as he may be able to grasp—of the laws of nature embodied in the mysterious statutes of God.

Here the botanist can indeed luxuriate, for there is no similar area upon the continent that has as many different species of vegetation. Here botanists have found 136 species of trees and 174 species of shrubs and plants. Passing from the valleys below to the summits of these mountains, you encounter climatic conditions ranging from a low temperature to a subarctic, with all the varying forms and species of vegetation and plants that will be found in such a range. Upon the summits of these mountains you find the flora and fauna of the Hudson Bay, and birds are found nesting there which are not found again until you reach the deep forests of Canada. The summits are clothed with Canadian spruce or fir. This dark and somber forest is impressive beyond words, and its solitudes inspire an awe and admiration that can not be described. It is for the purpose of preserving, if we can, for those who shall succeed us, this typical area that this park is sought to be established.

Again, it would be such a game refuge that it would have no counterpart in the United States. Most of the wild animal life of the great Appalachian Range of mountains has disappeared or is fast disappearing. Only the smaller species of game is left. There is scarcely a deer still surviving, even in these great depths. Now and then there may be seen a lone and silent antlered monarch seeking in vain for his companions. It is true that the black bear has maintained himself because of the rugged and impenetrable depths of these mountains. But he, too, is in diminishing numbers, for the Anglo-Saxon will undergo any hardship and endurance in the pursuit of game. The wild turkey is almost extinct. It is the finest game bird of our forests. If this were established into a national park it would be a game refuge and insure forever that every species of native game would survive. Within this area it would multiply beyond measure, it would overflow the boundary, it would furnish contiguous areas with game and contribute to the general happiness and profit of the people.

Surely there should be one or more places in this long stretch of Appalachian hills where the native wild game with which God peopled them can be preserved. If this should be made into a national park, here the pheasant could lead forth her fluffy brood in safety, the wild turkey could recruit his fast-thinning ranks, the doe could leave her fawn in its bed of ferns, while she sought her food, without the nagging fear in her heart of the bay of the pursuing hounds. Even the black bear, awkward and ungainly in appearance, could go forth with her playful cubs and clamber among the rocks and logs of these great hills without fear of the crack of the hunter's rifle. It is the home of the raven, the wildest and most untamable of the denizens of the air. Here among the rocky cliffs and vast silences of these ranges he builds his nest and rears his somber brood. Here, too, we find the golden eagle, as he watches from some impending cliff for his prey or hangs in awful flight above the silent forest and deep and perilous canyons. For here—

He clasps the crag with hooked hands,
Close to the sun in lonely lands,
Ringed with the azure world he stands.

The wrinkled sea beneath him crawls;
Down dropping from his mountain walls,
Like a thunderbolt he falls.

Tennyson thus describes the eagle of his own sea-girt island. And while there may be no sea in this wild area of the Smokies upon which this restless child of the air may gaze, yet I have seen them, on rare occasions when, looking from some rocky summit in the early morning, they have borne every appearance of an unruffled sea. Often the vapors that rise from the valleys and streams and forests in the stillness and silence of the night gather and spread themselves, covering the ridges and canyons with an unbroken stretch, indeed like a vast sea, with here and there only the higher peaks rising above them like lonely and rocky islands.

I have seen the sun rise in all his glorious beauty and throw his light downward upon this mass of clouds and vapor, touching them into the beauty of burnished silver. I have seen again, as the great "day king" rose higher toward the zenith, these vapors, stirred by his heat into motion, begin to rise and roll like the restless surf upon a great ocean beach. I have seen them still further moved by the increasing heat until in wild confusion they began to "flow down like a mad witch's hair" as they were caught by the winds and swung upward in tumultous fury. For this is the very home of the storm king, and here he gathers his forces of rolling clouds and unloosens the wild artillery of the skies. Standing upon one of these summits I have seen far below me the lightnings leap with impetuous fury. I have seen the summits of Clingman's Dome and Gregory Bald and Thunderhead lifting themselves above the swirling storm, as if contemptuous of its wrath, still bathed in the sunlight, while the roaring thunders crashed about their sides below, as if holding converse with the genii of the storms. I have seen this mighty tumult of cloud and vapor condense itself around these lonely summits and begin its march across valley and ridge and canyon, carrying the refreshment of the rain, like a great watering pot of God, to the fields and pastures of the children of men.

Surely we have some interest in preserving this great heritage which comes to us from the "Giver of all good and perfect gifts."

In this area every form of wild life would minister to the great call of the out of doors, that is more and more pressing upon our people, and its ethical and moral value can not be computed. Populations must have an outlet. I have seen it stated that in the great cities juvenile crime was found to be much less in areas near established parks than in the more congested sections, where no outdoor life was at hand. This great park proposed to be established would prove of inestimable moral and ethical value in the years to come.

Millions of people are now visiting our present great national parks. Last year nearly 1,400,000 tourists visited the national parks of the West. As above stated, these parks are remote from the great centers of population of the United States and require long and expensive journeys. The Smoky Mountain National Park is in almost the center of 80,000,000 of people and offers an objective to every tourist and when developed with proper roads and trails would be sought by untold millions as the years go on. It would yield an annual harvest not only of profit but of health and recreation and moral values. Unlike the cutting of the timber from a forest, which when cut is gone, a great national park will yield an annual crop that will continue with the generations. People would come to this great park in the spring when nature begins to touch into life the countless trees and shrubs and flowers here spread in vast profusion; they would come in the summer to escape the heat of lower altitudes and to rest under the cathedral arches of its great trees and refresh themselves by its sparkling streams; they would come in the fall when the finger of the frost king has touched these massive mountain sides, clad in their matchless forests, into an indescribable picture of gold and silver and vermilion.

And all this can be accomplished to the immeasurable benefit of the future, without undue interference with the lumbermen or those who draw their raw product from the forest. This bill is in no sense an attack upon their interests. The Great Appalachian Range of mountains has yielded its crop of centuries-old trees to the lumbermen. No one complains of this. The National Government itself has acquired as national forests nearly 3,000,000 acres in eastern America. This will be administered in scientific forestry. The only desire and purpose is to set aside a comparatively small area of this vast forest domain embraced in the great stretch of the Appalachian Range and preserve it as a typical area for posterity. Undoubtedly this particular park can be so established and created from territory that will accomplish at once this great purpose and at the same time bring no hardship or loss to any interest that may be concerned.

The country surrounding this great park is most interesting and beautiful. The district which I represent includes a large part of this great scenic territory. In fact, all of western North Carolina is a land of superb beauty and attraction. It is a land of mountains and streams and valleys. It is rich in soil and possesses a climate that has no equal upon the American continent. Here we have not only the Great Smoky Range of mountains, proposed to be included in this great park, but there are numerous other mountain ranges. The Smokies constitute the great northwestern rampart of the Appalachian Range. To the southwest we have the Blue Ridge, which from Pennsylvania to Alabama is a perfect watershed. In fact, I have seen a spring of water rising so near the summit of the Blue Ridge divide that part of the waters from the same spring would flow into the Atlantic, while another part would flow into the Gulf of Mexico. Between the Blue Ridge and the Great Unaka Range are many cross ranges creating innumerable valleys and coves and fertile meadow lands, some of these ranges containing peaks almost equalling those of the Smokies.

It is a land of plenty, a land of sunshine, a land of glorious possibilities. North Carolina, as a whole, is a wonderful State embracing every climate from the Canadian, at the extreme summit of her great mountains, to the subtropical, where her eastern shores are washed by the waters of the blue Atlantic. Western North Carolina is destined to be the great playground of America. In winter the climate is not too severe, and in summer it offers refreshment and health to those who live in warmer latitudes. Here they are crowding by the thousands from every part of the Union. Her magnificent highways are attractive to the tourist. Her succession of mountains and valleys with their beautiful cities and towns and hamlets are a constant surprise to those who have not been familiar with her attractions.

From Marion and Rutherfordton and Tryon, ideally seated on the eastern slopes of the Blue Ridge, the county seats of McDowell, Rutherford, and Polk, to Murphy upon the beautiful Hiwassee River, in the extreme western part of the State, has come a vast wave of progress and development. Asheville, the metropolis of this western country, has for many years attracted the tourist. Hendersonville, bustling and busy near the summit of the Blue Ridge itself, can not be surpassed. Brevard, nestling in the upper valley of the French Broad, is a beautiful picture as she sits in her fertile valley, walled around with beautiful mountains. Waynesville, in the splendid county of Haywood, sits like a princess upon her hills. Canton is thriving

and throbbing with industry. Sylva, "an apple of gold in a picture of silver," as her name implies, is situated among the magnificent woods and streams of Jackson County. Bryson City, which would be the nearest town to the Great Smoky Mountain National Park, is wonderfully situated upon the banks of the Tuckasegee, one of the most splendid of our mountain streams. The background of this splendid little mountain town is the great and silent wilderness of the Smokies themselves. It offers rest and health and recreation to the visitor, and from its busy streets he can quickly and easily pass into the vast solitudes of the beckoning forest. Andrews, on Valley River, in point of sheer beauty can not be surpassed by any town in the United States. It is located near the old site of the council town of the Cherokee Indians. Roosevelt in his great book, The Winning of the West, refers to this spot and to the ancient gatherings of this tribe. Murphy, at the confluence of the Hiwassee and Valley Rivers, looks out upon a stretch of mountains and valleys that is most entrancing. Clay County, a very gem of the mountains, contains the beautiful little town of Hayesville that is just being touched by the influx of travel. Graham, another gem of these mountains, lies upon the southeastern slopes of the Smokies themselves.

Here the beautiful Cheoah takes its rise and cuts like a saber through the mountain walls of the great Unaka Range. While Franklin, in Macon County, sits within a rampart of mountains with the "Standing Indian," the highest of the peaks of the Nantahalas, piercing the hazy distance. In this county are found more different varieties of gems and minerals than in any other county of the United States. Its valleys are fertile and prosperous.

I would invite you, my colleagues, to this wonderland of which I am extremely proud. Peopled by a stock that is yet pure Anglo-Saxon, they are the descendants of the Scotch and Irish and English, who laid the foundations of this Republic, and who are zealous of the preservation of the institutions which their fathers founded. It was from among these people came the men who fought at Kings Mountain and dealt the fatal blow to English tyranny. It was from among these people came the patriots, who, on May 20, 1775, more than a year before the Declaration of Independence at Philadelphia, met and declared at Mecklenburg that these colonies "were, and of a right ought to be free and independent States." And here, within this area proposed to be established into a great national park, is also the last remnant of the Cherokee Nation east of the Mississippi. Within this area the eastern band of Cherokee Indians still retain their tribal relations. The descendants of Junaluska, who fought with General Jackson in the Battle of the Big Bend. Junaluska himself sleeps beneath the monument erected by the State of North Carolina near the town of Robbinsville in Graham County. Once they were the proud masters of all this domain. Their fathers named its mountains and gave the nomenclature to its streams. As this area contains almost the last of our primeval forests, so it contains the lingering remnant of that great nation of Indians which once peopled its forests and valleys.

For this is the land of beautiful rivers and streams. Henry Van Dyke said that he loved the little rivers; that the big rivers were sullen and hostile and seemed ready to sweep you beneath their floods; but that the little rivers chafed against their banks and, racing over their rocky beds, sang and chattered with melodious enchantment. And most of these streams in my district yet bear the mellow names of the Cherokee Tribe. From the Catawba, the Swannanoa, and the Takeeostee on the east, passing westward, you cross the Tuckasegee, the Tennessee, the Cullasagee, and the Nantahala. The latter rises under the sides of the "Standing Indian" and is a very queen of our mountain streams. You finally reach the Hiwassee and the Tusquitee, in Clay and Cherokee Counties, and the Cartoogechay. The Oconalufty gathers itself from the springs of the Smokies, and on its banks still live the purebred Cherokee Indian. There are others too numerous to mention at this time. I include with them the Cataloochee, that wild and restless child of the mountains that takes its rise under Mount Guyot and flows through unbroken forests for many miles until it finally becomes a part of the waters of the great Tennessee itself. These names carry us back to the days before the white man found this wonderful region and when the smoke of the wigwam of the Cherokee arose from these mountain sides and valleys.

And overlooking this vast stretch of mountain and field and forest, now peopled by beautiful cities and towns and hamlets, with plenty upon every side, stand like lonely sentinels the giant peaks and ridges of the Great Smokies, guarding its supernal beauty.

HENRY W. LONGFELLOW

Mr. VESTAL. Mr. Speaker, I call up Senate bill 4018, to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the poet Henry W. Longfellow, a similar House bill having been reported to the House and being on the House Calendar.

The SPEAKER. The gentleman from Indiana calls up Senate bill 4018, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That a medal with appropriate devices, emblems, and inscriptions, commemorative of the poet Henry W. Longfellow, shall be prepared under the direction of the Secretary of the Treasury at the United States Mint at Philadelphia. The medal herein authorized shall be manufactured subject to the provisions of section 52 of the coinage act of 1873, from suitable models to be supplied by the International Longfellow Society, and the medal so prepared shall be delivered at the Philadelphia Mint to a designated agent of said the International Longfellow Society in such numbers as they may require, not to exceed 500,000, upon payment of the total cost thereof.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. LAGUARDIA. I have been objecting to this bill on the Consent Calendar, and my reasons were that I do not believe this Longfellow Society is either a historical society or a literary society of national standing. Now, if this bill passes and we authorize the coining of these medals, will the society be required to state how many they want and pay the total cost to the Government, so that the transaction will end there and then?

Mr. VESTAL. That is correct, and that has been provided in the Senate bill.

Mr. LAGUARDIA. And there is no mistake about that?

Mr. VESTAL. No.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. CHINDBLOM. That would be so under the terms of this bill, would it not?

Mr. VESTAL. Yes.

Mr. CHINDBLOM. There is an old organic act under which medals may be coined by the mint where Congress authorizes it, and it is subject to the old organic act.

Mr. UNDERHILL. Mr. Speaker, a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. UNDERHILL. I want to ask whether the stage has gone by where an objection would lie against the present consideration of this bill?

The SPEAKER. No objection would lie against it. The gentleman calls it up as a matter of right.

Mr. UNDERHILL. If the gentleman from Indiana will yield to me, I would like to say something with reference to the bill.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Will the gentleman from Indiana yield to the gentleman from Texas to make a parliamentary inquiry?

Mr. VESTAL. Yes.

Mr. CONNALLY of Texas. This is a Senate bill, is it?

Mr. VESTAL. Yes.

Mr. CONNALLY of Texas. Has the House Committee reported a similar bill?

Mr. VESTAL. Yes; it has reported a similar bill favorably.

Mr. CONNALLY of Texas. Has the committee directed that this Senate bill be called up?

Mr. VESTAL. No.

Mr. CONNALLY of Texas. Then, Mr. Speaker, I make the point of order that the bill can not be considered.

Mr. VESTAL. I will state that I called up the bill because the chairman of the committee was not present.

The SPEAKER. The Chair had assumed that the gentleman had authorization from the committee to call up the bill.

Mr. VESTAL. The chairman of the committee [Mr. PERKINS] is not present, and being the ranking member on the committee I took the liberty of calling it up.

Mr. CONNALLY of Texas. I shall not insist on the point of order.

Mr. VESTAL. Of course, if I had understood there was any objection to the proposition, I would not have called it up at all.

Mr. CONNALLY of Texas. I shall not insist on the point of order.

Mr. UNDERHILL. Mr. Speaker, I shall insist on the point of order, then, unless I have plenty of time to oppose the proposition and tell the House what I know about it.

Mr. VESTAL. How much time does the gentleman want?

Mr. UNDERHILL. Five or 10 minutes.

Mr. VESTAL. I am perfectly willing to yield the gentleman 5 or 10 minutes.

Mr. UNDERHILL. Mr. Speaker, this apparently is a very small matter, but there is more back of it than the Members of the House are aware. In the city of Portland, Me., to-day there is the home of Longfellow, which is taken care of by a society there and which is open to the public at any and all times. Not far from this home of Longfellow, which is a shrine for those who love that great poet, there is a home which is alleged to have been his birthplace.

For a number of years a certain individual in the city of Portland has been making a good living out of this proposition, which he has apparently sold under misrepresentation to the various governors and men of prominence throughout the Nation and to those who love Longfellow and his poems. I want to say emphatically, although this probably never came out before the committee, this is nothing more or less than a graft proposition for one individual in the city of Portland to make a nice, easy living for the rest of his life or as long as the provisions of the bill now contemplated shall run.

Mr. BYRNS. Just what is involved in the bill?

Mr. UNDERHILL. The bill provides for the coinage of several thousand or several hundred thousand coins; I believe there is no limitation as to the number.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. LAGUARDIA. In reply to the inquiry of the gentleman from Tennessee, there is in Portland now the home of Longfellow, maintained by the Maine Historical Society.

Mr. UNDERHILL. Yes; I stated that.

Mr. LAGUARDIA. Mr. Longfellow was born and his mother lived in this other house a short time, and this society mentioned in the bill, as the gentleman has said, is a one-man proposition.

Mr. UNDERHILL. Absolutely.

Mr. LAGUARDIA. And this gentleman first wanted the Government to coin pennies, and then it was changed to medals which this gentleman is to sell as they come along.

Mr. UNDERHILL. Yes; he sells these medals and imposes upon the general public. There is not a child or a child grown to manhood but what loves that great poet, Henry Wadsworth Longfellow. [Applause.]

My whole life was influenced by that man, for when I was a boy of 12 years of age, employed as a printer's devil in the city of Cambridge, that man came into the printing office and showed a little interest in me. He said a kindly word to me. A few weeks later Longfellow died. I was anxious to know more about this great man and started to read his works, and from that small beginning practically all the education I have had in the world has come as a result of the kindly action of Henry Wadsworth Longfellow in paying some attention to me, a little office boy in a print shop in Cambridge.

I would do anything in this world to make the memory of Longfellow sacred and dear to everybody, but this is an imposition. This man is taking advantage of the love which the people of this Nation have for that great poet and is grafting and making an easy living out of the credulity of the people.

If Congress wants to lend itself to such a proposition as this, after I have explained the situation honestly and fairly, then my duty has been performed.

Mr. MOORE of Virginia. May I ask the gentleman a question?

Mr. UNDERHILL. Certainly.

Mr. MOORE of Virginia. Did not Longfellow spend most of the important part of his life in Cambridge?

Mr. UNDERHILL. Oh, a great deal of his life was spent in Cambridge and the school children of the United States have preserved for all time his home in Cambridge, and a local society in Portland, Me., has preserved his home there. This is a little place where he only lived for a short time and has absolutely nothing to do with his career, his life-time work, or anything of that sort.

Mr. LOZIER. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. LOZIER. Is it not the fact that Longfellow's home, in his later years, had previously been the headquarters of General Washington during Revolutionary times?

Mr. UNDERHILL. Oh, yes.

Mr. HUDDLESTON. Will the gentleman explain more fully how this would be for the benefit of this one individual? That is the point the gentleman has not made clear.

Mr. UNDERHILL. We strike off so many medals at the expense of the United States—500,000—and turn them over to this man. He sells them for anything he thinks he can get for them—for 1 cent or 5 cents or $1 apiece—and puts the money in his pocket.

Mr. CARSS. Do we furnish these medals to him without cost?

Mr. LAGUARDIA. It is also proper to state about this one-man association that, while he acquired the birthplace of Longfellow by paying the mortgage, there has never been any accounting whatever, and this is not a historical or literary society of any standing.

Mr. KVALE. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. KVALE. The gentleman said this was at the expense of the United States. There is to be no expense incurred by the Government whatever.

Mr. UNDERHILL. Oh, that is true; but it has the indorsement of the United States, and he can carry on this thing indefinitely. Suppose the gentleman was sitting in his library, and he received in to-morrow morning's mail a letter from this man stating that the birthplace of Longfellow in Portland, Me., is neglected, and that he is disinterestedly trying to preserve this birthplace for future generations.

Undoubtedly the gentleman would become interested in it without investigation and might send him a check.

Mr. KVALE. I simply wanted to correct the impression that there was anything coming out of the Treasury.

Mr. UNDERHILL. I do not believe that he should have the indorsement of the Government.

Mr. BLANTON. There is an overhead for the use of the plant that the Government never gets back. If the gentleman from Massachusetts is so wisely against the bill, why did he not raise the question of consideration and stop it?

Mr. UNDERHILL. I believe that these matters should be argued out on their merits rather than to take advantage of technicalities.

Mr. CONNALLY of Texas. Could not the party have these medals struck off at some private plant?

Mr. UNDERHILL. Yes; but he would not get the indorsement of the Government and thus get the graft based on the love and affection of the people of the United States for the memory of Longfellow.

Mr. BLACK of New York. What does the Treasury say about it?

Mr. UNDERHILL. I do not know.

Mr. LINTHICUM. I understand that this home is well taken care of.

Mr. UNDERHILL. The Longfellow home is taken care of by the Maine Historical Society, and they do not ask for any contribution. I am perfectly willing if the House understands the situation—that it is not the home of Longfellow, for that home has been preserved and does not ask for any contribution. If the Congress of the United States wants to lend its aid and indorsement for graft, all right, go ahead.

Mr. STEPHENS. I understand the gentleman thinks we should vote against this bill.

Mr. UNDERHILL. Absolutely.

Mr. VAILE. Is this place the birthplace of Longfellow?

Mr. UNDERHILL. It is supposed to be.

Mr. LAGUARDIA. By accident.

Mr. MCMILLAN. Is there any other association indorsing this plan?

Mr. UNDERHILL. The Historical Society of Maine has again and again brought this man to the attention of the public and he gets no support in Maine for it or in Massachusetts, but he comes down here thinking he can fool you.

Mr. WAINWRIGHT. What is the International Longfellow Society?

Mr. UNDERHILL. It is this one man.

Mr. WAINWRIGHT. Does the gentleman mean that the whole society is composed of one man?

Mr. LAGUARDIA. It is a paper organization.

Mr. VESTAL. Mr. Speaker and gentlemen, I have listened with a great deal of interest to the gentleman from Massachusetts against the passage of this measure. Formerly I was chairman of the Committee on Coinage, Weights, and Measures, and a number of these bills providing for the minting of coins were introduced, and near the close of the last session of Congress the committee decided that they would not report any more bills for memorial coins. A gentleman by the name of Jackson appeared before the committee, and a bill was introduced for a coin for this society. This was changed to a medal and is in the form of the bill now before you. He represented himself to be a member of this society, known as the International Longfellow Society. I find that the President of the United States is an honorary member of the society. William Howard Taft is a member of this society, and some of the great men of the country are members of this international society.

Mr. UNDERHILL. Yes; and if the gentleman would send a check for $1 to this man, he would become an honorary member of the society. [Laughter.]

Mr. VESTAL. I know nothing about that, but I do know that it is an accepted fact—and no one has disputed it—that Longfellow was born at this particular place which is to be commemorated by this medal, although he spent most of his life in Cambridge, Mass. It seems as though some of the Members from Massachusetts do not want this bill passed to honor the birthplace, in Maine, of Longfellow, although he was born in Maine but spent the most of his life in Massachusetts.

Mr. UNDERHILL. If the gentleman will yield, and if it will not embarrass the gentleman from Maine, I will ask him if any statement I have made is untrue.

Mr. BEEDY. The statement of the gentleman from Massachusetts is absolutely true. I would like to ask the gentleman from Indiana when Mr. Jackson appeared before his committee if he was fair enough with the committee to say that he had come to me as a Representative of the first district of Maine, in which this home and birthplace are located, and asked me to sponsor such legislation and that I had refused to and told him that the Government would not lend itself to the minting of a coin for such a purpose, and that he told me he would show me how to get it? [Laughter.]

Mr. VESTAL. No; the gentleman did not say any such thing as that, and I am going to be frank with the membership of the House.

I have said to Mr. Jackson a number of times, "Why do not you have the Members from the State of Maine get behind this bill? They ought to be behind this bill if it is in commemoration of the birthplace of Longfellow," and he has always said to me, "I do not know why they are not interested in it." Finally the bill was passed in the Senate. That is the reason I brought it to the attention of the House. It was passed unanimously in the Senate and brought over here, and something ought to be done with the bill. It has been up here before the House. I said to Mr. Jackson this morning that I would call the bill up and the House could do what it pleased with the bill.

Mr. SMITH. Is there any expense to the Government involved?

Mr. VESTAL. No expense whatever involved.

Mr. SNELL. Who is sponsor for the bill in the House and in the Senate?

Mr. VESTAL. Mr. Thayer introduced the bill in the House.

Mr. SNELL. Who in the Senate?

Mr. STEVENS. Senator FRAZIER.

Mr. SNELL. They went a long way from home.

Mr. VESTAL. I thought it was Senator NORBECK.

Mr. SNELL. Would not either one of the Maine Senators introduce the bill?

Mr. VESTAL. I think not, but I know nothing about that. I think Members will understand that I am absolutely fair with the House.

Mr. LOWREY. Mr. Speaker, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. LOWREY. Mr. Speaker, may I have the attention of gentlemen for a moment? I happen to be the ranking minority member of the committee. I think it is fair that this should be said to the committee. We have had several bills of this kind, and, as I remember, they have never been sponsored by the Congressman from the particular district. That did not occur to me in any way. The man certainly did bring a number of strong names and strong letters before the committee. I think if gentlemen will take the hearings they will find that the mint or the Treasury Department had a man before the committee who stated that they objected to any more coins, but that they would be glad to make this as a medal. We certainly inferred from his testimony that it would be made without any cost to the Government, and that the Government was very glad to do that kind of work. I inferred that it would possibly pay the Government a little from the way he spoke.

Mr. SNELL. Does the gentleman not think it rather peculiar that in a matter pertaining to Maine they would have to go clear to North Dakota to get a Senator to introduce the bill?

Mr. LOWREY. The gentleman does not embarrass me with that question at all. With the information before us I would not vote for the bill. I am speaking now in behalf of the committee, since there is a tinge of criticism of the committee. I think the gentlemen from Maine ought to have enlightened us without our sending for them, if these are the facts.

Mr. UNDERHILL. If I had known that this was before the committee, I certainly would have appeared and have given the facts.

Mr. VESTAL. I want to say further that I do not think any Member of the House is going to criticize the committee for reporting out a bill for this medal, where there was no cost to the Government at all and under the representations made by the gentleman who appeared before the committee. I think any set of men or any committee would probably have done the same thing. We had the President's name and we had Mr. Taft's name and the names of a number of important people who were supposed to be members of this international association, whatever it may be, and I want to take just a little time now to read from this statement in the RECORD:

> Many of the most distinguished men and women of the Nation have been and are now associated with the organization.

I can not quite understand why the men whose names I am now going to mention could be associated with an organization that is made up of only one man.

Mr. STEPHENS. From whose statement is the gentleman about to read?

Mr. VESTAL. This is a statement made by Senator NORBECK. I have seen some of the stationery and the literature of the association, and I know it is true that these names are the names of people who are supposed to be members of the association. I read the letter that the President wrote, or that Mr. Slemp, his secretary, wrote, when he became an honorary member of the association. There are the names of Theodore Roosevelt, Woodrow Wilson, General Miles, Admiral Dewey, William Dean Howells, Edna Dean Proctor, Bishop Fallows, President Coolidge, Chief Justice Taft, Cardinal O'Connell, Cardinal Dougherty, Mr. Philip North Moore, Edward Markham, and so forth. Then there are here two or three of the letters, one by Mr. Taft and one by Cardinal O'Connell.

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

Mr. VESTAL. Yes.

Mr. CONNALLY of Texas. I notice that the gentleman read the name of the President. Is this an administration bill?

Mr. VESTAL. No; I think not. He is an honorary member of the association.

Mr. CONNALLY of Texas. Could not this concern have these medals struck off by a private plant?

Mr. VESTAL. There is no question about that. The reason they want the medals coined by the Government is because it gives a sort of prestige to them, and they are supposed to be sold and the money used for the upkeep of this house. That is the purpose of it.

Mr. LAGUARDIA. Inasmuch as the gentleman has mentioned these distinguished citizens, I think it only fair to say that these letters are in response to a letter sent out by Mr. Jackson asking for an expression of opinion as to their admiration for Longfellow the poet, and generally to perpetuate his memory. I saw a carbon copy of Mr. Jackson's letter.

Mr. TILLMAN. Mr. Speaker, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. TILLMAN. Speaking about distinguished citizens, the State of Maine has a number of distinguished citizens here in the House and in the Senate. The gentleman was not quite clear in his statement about the Maine delegation. The gentleman said they were not behind the bill. As a matter of fact, are they not against it?

Mr. VESTAL. I have had conversation with the gentleman from Maine [Mr. BEEDY], in which he told me that he would not object to the bill when it came up on the Unanimous Consent Calendar, and he gave me his reasons why.

Mr. BEEDY. Mr. Speaker, I think I ought to be frank with the House. The gentleman who originally came to me, Mr. Jackson, is a gentleman well known in my city. He is a man advanced in years and has no means of getting a living. He lives in the birthplace of Longfellow and, so far as I know, that is his only home.

I could not find it in my heart to say I would fight this bill, and I had promised I would not do so, and I have tried to keep my promise simply out of human sympathy for the man himself. [Cries of "Vote!"]

Mr. VESTAL. Now, gentlemen of the House, I have made a statement which I think is fair relative to this bill, and it is up to the House to do what it desires.

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

The question was taken, and the Speaker announced the noes appeared to have it.

Mr. VESTAL. I do not think I will make a point of no quorum, but I will ask for a division.

Mr. BLANTON. It is on the third reading.

The SPEAKER. The gentleman from Indiana demands a division. The question is on the third reading of the bill.

The House again divided; and there were—ayes 59, noes 7.

So the bill was ordered to be read the third time; was read the third time.

The SPEAKER. The question is, Shall the bill pass?

On a division (demanded by Mr. VESTAL) there were—ayes 27, noes 60.

So the bill was rejected.

Mr. BLANTON. Mr. Speaker, I move to reconsider the vote by which the bill was rejected and to lay that motion on the table.

The motion was agreed to.

CONFERENCE REPORT—BRIDGE BILL

Mr. DENISON. Mr. Speaker, I call up the conference report on the bill H. R. 7093.

The SPEAKER. The gentleman from Illinois calls up a conference report on the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 7093) granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubbard Massey, to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia.

The conference report was read.

The conference report and accompanying statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7093) granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubard Massey to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia, 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:

Strike out all of section 1 after the word "act," in line 1, page 2, as follows:

"The construction of such bridge shall not be commenced, nor shall any alterations of such bridge be made, either before or after its completion, until the plans and specifications for such construction or alterations have been first submitted to and approved by the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture, acting jointly, and they, acting jointly, shall determine whether the location selected is feasible for the erection of such bridge without obstructions in navigation and without being detrimental to the development of interstate and foreign, as well as domestic, commerce moving to and from the particular location on the southern branch of the Elizabeth River to the inland waters of the State concerned, and whether public convenience will be served by such bridge as a connecting link between the Federal-aid highway systems of the State of Virginia. The said Secretaries, acting jointly, are empowered, and, if requested to do so, are directed to hold public hearings for the full and complete determination of said precedent requirements."

And the Senate agree to the same.

E. E. DENISON,
O. B. BURTNESS,
TILMAN PARKS,
Managers on the part of the House.

WESLEY L. JONES,
HIRAM BINGHAM,
JAMES COUZENS,
MORRIS SHEPPARD,
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. 7093) submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

The Senate amended the House bill by striking out all after the enacting clause and inserting a new bill in lieu thereof. The provisions of the Senate amendment were in harmony with the agreement reached by the committees of the House and Senate with reference to such bridges as the one provided for in this bill, which agreement was reached after the House bill had passed the House, except that the Senate bill included in the first section thereof a special provision that before the bridge could be commenced or constructed the plans and specifications should first be submitted to and be approved by the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture, acting jointly, and further provided that those three secretaries should, acting jointly, have a hearing, if requested to do so. The existing bridge law, the act of March 23, 1906, provides that before any bridge can be commenced the plans and specifications shall first be approved by the Secretary of War and the Chief of Engineers, and it was shown in the hearings that there is cooperation between the Chief of Engineers and the Navy Department, so that the Chief of Engineers and the Secretary of War will not approve the plans for any bridge that will interfere with or obstruct the operations of the Navy. It was believed that this provision of the law would fully protect the interests of navigation and of the Navy, and therefore the House agreed to the Senate amendment with an amendment striking out the above special provision about joint hearings and joint approval of the bridge by the three Secretaries; and the Senate agree to the same.

E. E. DENISON,
O. B. BURTNESS,
TILMAN PARKS,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

Mr. DENISON. Mr. Speaker, I move to take from the Speaker's table the bill H. R. 10090 and agree to the Senate amendment.

The SPEAKER. The gentleman from Illinois moves to take from the Speaker's table the bill H. R. 10090, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10090) granting the consent of Congress to Alfred L. McCawley to construct, maintain, and operate bridges across the Mississippi and Missouri Rivers at Alton, Ill., on the Mississippi and at or near Bellefontaine on the Missouri River.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. DENISON. Mr. Speaker, I ask that Senate bill No. 3103 be indefinitely postponed from further consideration, a similar House bill having passed the House and Senate.

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

ADDRESS BY THE HON. ELIHU ROOT BEFORE THE DEPARTMENT OF POLITICAL EDUCATION OF THE NATIONAL CIVIC FEDERATION

Mr. BACON. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address by the Hon. Elihu Root delivered before the National Civic Federation.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks by printing a speech delivered before the Civic Federation by Hon. Elihu Root. Is there objection? [After a pause.] The Chair hears none.

Mr. BACON. Mr. Speaker, in accordance with the above leave to extend my remarks I gladly insert herewith the address of that great American and great statesman, the Hon. Elihu Root, before the department of political education of the National Civic Federation, at New York City, April 20, 1926:

ADDRESS BY THE HON. ELIHU ROOT, HONORARY CHAIRMAN, AT LAWYERS CLUB, NEW YORK CITY

It is very interesting, very cheerful, very hopeful to find such a practical recognition of good will toward something which, it seems to me is becoming every year more manifestly important for our country and our people. The experiment of a republican government—the methods for securing the formation of public opinion and the expressing of it and the machinery to give it effect in government have not kept pace with the increasing complication of life within our lifetime.

All over the civilized western world, populations are increasing, wealth is increasing, people are living more and more in great cities, the governments are being forced to do more and more things for the preservation of the social order and to keep that from all going to pieces. The kind of government, which did very well a hundred years ago, in our simple communities, is overburdened by a thousand things that never were required then and are required now. Our lives, our liberty, our prosperity, are all dependent every day upon something which we can not do ourselves. Government has to do it.

All that complication makes it difficult to understand what government and government officers are doing, their modes of procedure and the machinery for the formation, the expression and the effectuation of the public will, the necessary foundation of popular government are inadequate. They have not developed pari passu with the increasing complication of life. Over in Italy, they became so inadequate that the Italian parliament was made up of a lot of intriguing, wire-pulling, subtle, adroit people combining and recombining each one for his own advantage and aggrandizement; and they became so bad that popular government, as it operated in Italy, came to an end. Italy welcomed Mussolini—and there is an end to popular government, for the time being at all events, in Italy.

Very much the same sort of thing happened in Spain, where Primo de Rivera became the dictator, so that the constitutional monarchy of Spain has given place to the operation of a dictatorship. With respect to France, it is not necessary to say any more than that the extreme difficulty with which the successive French Governments have been endeavoring to get the Chamber of Deputies in Paris to agree in any kind of taxation which would save France from bankruptcy indicates that things are not working right there. The Government of France has been moving, one man being up one day and the next down, and another man being up one day and the next day down. No French statesman has been able to get up and make a speech for the last six years in the certainty that his chair would not be pulled out from under him when he sat down. The will, the impulse, the excitement, the combination of special personal group interests at the moment would overturn the Government, and any continuous, settled, effective policy has been almost impossible.

Now, here in this country we have not got so bad as that, but there are many indications that something is going wrong in our machinery. The abstention from voting about which Mr. Easley has been telling us so actively and so efficiently is not quite right, is it? Is it right that only approximately half or less than half of the people of the United States should care enough about their Government, should care enough about expressing their opinion and wills, to go to the polls and cast the ballot? There is something wrong about it. It is the same sort of thing that we have seen in Congress, the twisting and turning of groups have begun, although I think the tendency has been considerably checked there, but a couple of years ago we began to find ourselves under a government of groups, which were one way to-day and another to-morrow, each one being formed for some specific purpose.

Of course, all that does not show that popular government is a false theory. All governments that deal with great masses of people have to be carried on by processes of trial and remedy and experimentation; and it is perfectly clear, I think, that we have come to the point where we should consider what it is that is wrong about the mode in which the popular will of the American people gets itself into law. It does not take much study to perceive that the popular will does not get itself effectuated in law or administration; that it is not perpetuated well and efficiently because it does not begin early enough in exhibiting its interest. Things are largely settled before half the people interested in them wake up and understand that there is something to be studied.

Now, there has been only one way ever discovered under popular government of securing successful administration and that has been by the voluntary association of people who agree upon great major policies for the purpose of enforcing those policies and selecting officers of government who represent those policies. There never has been any other way found. England tried the experiment of government by groups, and she had the most ineffective and disgraceful period of her history under a government by groups. These voluntary associations we call parties, political parties, and the essence of a political party is that it is a voluntary organization of people who agree upon something of importance and are willing to subordinate their small differences and personal predilections in order to make effective agreement upon the major and important subjects.

That is the only way you can prevent a legislative assembly from being like a game of jackstraws, every man going his own way. We must rely upon the fact that members of the legislative assembly are also members of great political parties who have brought their wishes and their wills into lines, parallel or converging lines, for the purpose of effectuating great policies. That ranges the members of a legislative body into such relation to one another that it is possible to have effective parliamentary government.

We have a Declaration of Independence, the value of which we can not overestimate because it throws down the gauntlet to the world in a declaration of the nature of government, the nature and function of government; but all the Fourth of July orators who have ever spoken could not make the Declaration of Independence accomplish anything but for the Constitution, which establishes certain specific rules for giving effect to the great principles of the Declaration. It is of no use to cry "Liberty" when no one does anything to secure liberty. It is the writ of habeas corpus which entitles a man to force the person who restrains him to give an accounting of his reasons for so doing. It is no use to speak of the sanctity of private property and stop there. When your property is taken away without due process of law it is the court which can be invoked and which can make the offender liable to damages for his infringement upon your rights.

We have got to have things brought down to the practical, concrete point of effectiveness, and general sentiment is worse than useless without that. Here are a great lot of people with a mild approval of free government, but who never think of doing anything about it until after something has happened, and then they criticize the Government and say they don't agree with it. There is an essential difference between the critic and the doer of things, an essential difference in their attitude. Catch a critic, however brilliant he may be, however enthusiastic he may be about the theories along the lines of what he criticizes, and put the responsibility upon him to make government work; then you have an entirely different man. The important thing is to turn this half of the people who do not vote from critics with the critical attitude which is against government—turn them into doers, show them how they can bear the responsibility, perform the duty of taking a part in the Government of their country.

The question is how to reach them. The practical way is to turn them into the organized parties. If we did not have any parties, we would have to make them. We might escape some prejudice by giving names to the parties which would not be understood by certain people. Those in the party organizations begin pretty nearly at the beginning. They begin at the point where theory joins to action, and everyone you can get in there will become a practical governor of this free country. It is perfectly simple, perfectly easy. All you have got to do is to wake people up, have some one take the head of the crowd and march them in. Tell them where to go, whether Democrats or Republicans, I do not care. Tell them where to go, and the organizers, the head officers of the party organizations in all the political units, State, city, county, borough, town, and village will welcome them and set them to work. In what we are talking about doing now we are like the man who wrote that he had a good job and had nothing to do.

When asked what he was doing, he said, "I am a hodcarrier. I carry the hod up and the man at the top does all the work." All we have to do is to carry up the hod and the party officials will do all the work. A little organization is necessary. It is delightful to have the soldiers of the American Legion, to have the men who care for their country because they were willing to risk their lives for it—to have them ready to use their organization for this intensely practical effort. It is also delightful to have the teachers of the children beginning with them in this true education. It is a great thing for the children to learn the difference between the kind of sentiment which expires in the air and leaves everybody flabbier and the kind of sentiment which becomes transformed into feeling and action.

Now, I hope this movement will go on, for it is the one thing in the United States most important for the perpetuity of our free institutions, our liberty and order—that the people of the United States shall get back the kind of relation to the practical operations of government which they used to have in the old New England town meetings 300 years ago. This is not anything new. It is a renaissance of practical participation in government.

FARM RELIEF

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11603, the farm relief bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11603, with Mr. MAPES in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11603, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11603) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I only take the floor this morning for the purpose of keeping the record straight. I am going to take part in the debate in the perfecting of the farm relief legislation because I have spent eight weeks, day and night, becoming familiar with the facts with which we are dealing, and I serve notice here and now I welcome correction of any statement of fact that I make, because no good purpose can be served by a man who has been afforded the opportunity of getting this information by misstating the facts. I stated here yesterday from this place that the enactment of this law at this time could not help the price of corn. I thought my information was entirely reliable because it was the chairman of the great Committee on Agriculture who had stated that in the hearing. The chairman

subsequently disputed that statement, and when I called his attention to the fact it was his own statement I was relying upon he said the difference in the date had changed the price of corn in the United States 15 cents a bushel, which would, of course, have changed the situation between the 6th of March and yesterday. I accepted that statement, only stating to the chairman I did not know that to be the fact at that time. I have since ascertained that there is no difference in the price of corn except 1 cent a bushel between the 6th day of March and yesterday.

I make that statement without any intention of reflecting on the gentleman from Iowa. I know the chairman did not intentionally misstate it, but the accuracy of that little fact makes quite a difference as to whether this bill, if passed, would make a difference in the price of corn.

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

Mr. TINCHER. Yes.

Mr. KINCHELOE. Are not the gentleman from Kansas and the chairman of the Committee on Agriculture getting their information from the same place as to the price of corn?

Mr. TINCHER. Well, I get my information from the Department of Agriculture. I do not reflect on the chairman. But his statement puts me in the position of attempting to make a misstatement. No good purpose could be subserved by anybody trying to mislead this House in the course of debate.

Mr. KINCHELOE. It is such a great difference that I am interested in knowing which is correct.

Mr. TINCHER. I took the trouble to verify the figures. There is just 1 cent difference. This commotion comes out of corn. We are asked to pass a bill that would not help the farmer a penny if strictly enforced.

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

Mr. TINCHER. Yes.

Mr. ASWELL. Does the gentleman recall that all the statements by every leader from the Corn Belt positively declared that the Haugen bill could not help corn? That is in the RECORD.

Mr. TINCHER. Of course the boys from the Corn Belt are entitled to know whether or not that is a fact. It took us eight weeks to get the information. I do not want to give anybody anything but the accurate facts. The gentleman from Iowa said the price of corn in Iowa is from 25 cents to 45 cents a bushel. The price of corn yesterday was 70 cents a bushel.

Mr. CARTER of Oklahoma. Whereabouts?

Mr. TINCHER. In Chicago.

Now, if corn was selling for 25 cents yesterday, what was wrong? Some of the corn in Iowa and Illinois last year did not ripen, but it was not an act of Congress that caused that. That is not a condition that Congress can cure. No. 2 corn was worth 72 cents yesterday on the market, and if anybody is buying it they are paying that, plus the freight. If someone has spoiled corn and can get only 25 cents a bushel for it, and is led to entertain the hope that this bill will help him in that condition, is it any wonder that we are getting telegrams here asking us to support that thing?

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

Mr. BLACK of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: Page 10, line 3, after the period, strike out the balance of the line and the balance of the page, and in lieu of the matter stricken out insert the following language: "Whenever the board finds that in case of any of the basic agricultural products named in this act there is or may be during the ensuing year a surplus above the requirements for the orderly marketing of same, and that a substantial number of cooperative associations or other organizations representing the producers thereof are in favor of the commencement by the board of operations of any such basic commodity, then the board shall declare its findings and commence operations in respect thereof. Such operations shall continue until terminated by the board." And on page 11 strike out down to and including line 13, and in lieu of the matter stricken out insert: "(d) During such operations the board shall assist in removing or withholding the surplus of such basic agricultural commodity and/or its food products, and shall assist producers of such basic agricultural products in controlling the quantity in excess of the requirements for orderly marketing, by entering into agreements with cooperative associations engaged in handling such basic agricultural commodity or its food products or with a corporation or association created by one or more of such cooperative associations or with persons engaged in processing such basic agricultural commodity or its food products."

Mr. PURNELL. Mr. Chairman, I want to reserve a point of order on the amendment.

Mr. BLACK of Texas. If the gentleman cares to make the point of order, let him make it now.

Mr. PURNELL. I can not carry its provisions in my mind.

Mr. RAMSEYER. Is not that amendment similar to the one offered by the gentleman's colleague [Mr. JONES]?

Mr. BLACK of Texas. No. The purpose of my amendment would be to eliminate from the bill all reference to the tariff and its tariff price-fixing plans. And if the gentleman will read the language of my amendment, he will find that the language, after eliminating the tariff provisions, is the same as that contained in the bill. The only reason why I wrote the amendment in the form of restating the language was to make it intelligible to the House. But the effect of the amendment would be to entirely eliminate from the bill the artificial tariff method of price-fixing which it undertakes to set in motion as to wheat, corn, swine, cattle, and butter.

Now, as I stated in the remarks that I made in the House on last Saturday, the bill as now written contains two separate and distinct plans of marketing. One of them applies to cotton and contemplates the orderly marketing of cotton by withholding a certain amount of it as surplus from the market. As to the other basic commodities provided for in the bill, it says that the board shall conduct its operations so as to insure to the producers of those products a domestic price which will equal the foreign price, plus transportation, plus the tariff.

Now, if gentlemen will just give attention, I will read some of the provisions of the bill, so as to emphasize to you the separate and distinct methods which it sets in motion as to cotton and those it seeks to set in motion as to other products. Now, I read on page 10, beginning on line 4:

Whenever the board finds (1) that, in the case of cotton, there is or may be during the ensuing year a surplus above the requirements for the orderly marketing of cotton, and that a substantial number of cooperative associations or other organizations representing the producers thereof are in favor of the commencement by the board of operations in cotton.

The language which I have just read describes the conditions under which the board is to begin its operations in cotton.

Now, if you will turn over to page 11 you will find what it proposes to do for cotton when the operations begin. Beginning with line 1, the bill reads:

During such operations the board shall assist in removing or withholding the surplus of such basic agricultural commodity and/or its food products and shall assist producers of cotton in controlling the quantity in excess of the requirements for orderly marketing.

That is what you say as to cotton, and I am trying to say by my amendment that the bill shall do the same for the other products; to-wit, withhold the surplus from the market, so as to promote orderly marketing. But, let us see what you do for the other products, on page 10, beginning at the word "that" in line 9, paragraph 2:

That, in the case of wheat, corn, butter, cattle, or swine, and/or any food product of wheat, corn, cattle, or swine, there is or may be during the ensuing year a surplus above domestic requirements, and that the price of any such commodity or food product in any principal market of the United States is materially lower than the price thereof in the principal export market of the principal competing foreign country (as determined by the board) plus the amount of tariff duty thereon and plus the charges normally incurred in transportation from such market to the principal port of entry therefor in the United States, and that the existence of such surplus renders or will render inoperative in whole or in part the tariff upon such commodity or food product.

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

Mr. BLACK of Texas. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 additional minutes. Is there objection?

There was no objection.

Mr. BLACK of Texas. Then, when the board finds that the domestic price of any of these other products is lower than the foreign price plus transportation plus the tariff, it sets in motion an operating period as to these other products, and let us see what it is to do for these other products. In addition to what it is to do for cotton, to wit, in assisting in holding off a surplus so as to promote orderly marketing, the board is charged with the additional duty as to these other products, of making effective, the maximum rates of the tariff. Let us again turn to page 11. Here it reads:

Shall assist producers of cotton in controlling the quantity in excess of the requirements for orderly marketing and producers of other basic agricultural commodities in maintaining domestic prices which yield the maximum benefits of the tariff.

Let me emphasize those words, "maximum rates of the tariff."

Now there you are, and the bill defines what the maximum benefits of the tariff are on page 10, as I have already shown you. Yesterday, when the gentleman from Iowa [Mr. HAUGEN] was answering the statement that the gentleman from Kansas [Mr. TINCHER] had made that the present price of corn in the United States was already equal to the foreign price, plus the tariff and plus transportation, and was denying the correctness of such statement, and while he was on the floor, I asked him if he would yield to me to make a short statement and ask him a short question. He said he would and he very kindly yielded. I stated to him that at the present time the farmers of the entire State of Texas were buying hundreds of carloads of corn from the corn-growing States and were paying $1.05 a bushel f. o. b. Texas common point territory, and I asked him how much more it would be expected that our farmers would have to pay for corn if this Haugen bill went into effect and set in motion a domestic price which is to be equal to the foreign price, plus the tariff and plus transportation. Well, the gentleman from Iowa gave me no definite answer, but some gentlemen on the floor from corn-growing States seemed to think that I must be mistaken about my figures as to the price of corn in Texas and they seemed to express doubt about it, not, I am sure, that they would doubt my word but they thought I was in error. In order to know whether my recollection was correct, because I never want to make any wrong statement of the facts, I telegraphed to my brother at Clarksville, Tex., yesterday afternoon to wire me at once what the price of corn is in carload lots f. o. b. Texas common points, and he wired me last night:

Carload prices on corn 98 cents to $1.07 a bushel f. o. b. Texas common points.

Now, the 98-cent corn is, of course, probably No. 3 corn and the $1.07 corn is No. 1 corn.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. JOHNSON of Texas. What price did the Iowa farmers get for that corn?

Mr. BLACK of Texas. Well, that I do not know. The corn to our territory probably comes from Oklahoma, Kansas, and Missouri, and not from Iowa. The point I want to make is that our farmers, who are the largest consumers in Texas of corn, meat, and lard, are paying at the present time about all they feel they can afford to pay for these products. The average farmer does not buy this corn in carload lots; he can not do that; he buys it from his retail merchant or through his cooperative association, and, of course, where he buys it from the retail merchant the merchant has to charge about 10 cents a bushel for handling, which makes $1.15 a bushel that the farmer has to pay. In order to verify what I say I took a clipping from one of my Hopkins County papers last night and I want to read it to you. Hopkins County is one of the banner counties in my district, and the article which I will read was clipped from a recent issue of the Hopkins County Echo, published at Sulphur Springs, Tex.

The article reads:

Wednesday morning at 10 o'clock on the public square of Sulphur Springs there were many loads of home-grown hay, home-grown Dooly yams, home-grown oats, home-grown ribbon-cane sirup, fine poultry, pigs, etc., and also two big loads of home-grown Hopkins County corn, for sale. D. W. Henderson, successful farmer of the Oakland community, had a two-horse load of fine corn that brought him $1.15 per bushel. He has already sold several loads and will continue to sell corn as the season passes, provided the weather man is good and another corn crop shows up. If the weather man fails to bring rains needed at the right time, he will save part of the corn on hand for use next year. "I never buy corn," said Mr. Henderson, who also always raises his own meat for home uses. R. A. Pearce had a big truck loaded to its capacity with fine corn from his farm down at Shaggy, which he also sold for $1.15 per bushel. He has about 150 more bushels of corn for sale and expects to plant sufficient to sell corn next year, as is his custom.

The article winds up:

Neither of these men had any business with the banks to-day except to deposit a little money before going home, as they grow all the feed and food needed.

Mr. ASWELL. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. ASWELL. It is estimated that there are 4,000,000 bales of cotton surplus. Now, how much money will be necessary to take that 4,000,000 bales of surplus off the market?

Mr. BLACK of Texas. Well, at the present time it would be from $75 to $90 a bale, depending upon the kind of cotton, and you would simply need to multiply that by 4,000,000 bales. But if the gentleman will pardon me, I want to pursue the matter which I was discussing.

Mr. FULMER. Will the gentleman yield right at that point?

Br. BLACK of Texas. Yes.

Mr. FULMER. The gentleman is complaining about the higher prices he would have to pay if this higher price were put on. As a matter of fact, would it not help your people if you had to pay, say, $5 a bushel in order to force your people and my people to do just what the gentlemen you have spoken of are doing?

Mr. BLACK of Texas. I will be glad to reply to the statement of my friend from South Carolina. I think that our cotton farmers would be much better off if they would diversify their crops and raise more of the corn and other food products they consume instead of buying so much of it from the corn-growing States, and thereby having to pay out so much for freights. Such diversification would also work an automatic reduction in the cotton acreage.

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

Mr. BLACK of Texas. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. GARBER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. GARBER. I infer that the purpose of the gentleman is to strengthen the bill?

Mr. BLACK of Texas. Certainly.

Mr. GARBER. By removing the price-fixing provision in regard to the tariff?

Mr. BLACK of Texas. Absolutely. And let me say this to the gentleman, since he raises that point: I do not expect during this debate to undertake to offer any amendment which down deep in my heart I do not believe will improve the bill, and I do not expect to vote for any amendment to it which will not help make it a better bill. [Applause.] I have no desire to obstruct the passage of the bill or to load it down with worthless amendments. It contains some provisions to which I am fundamentally opposed, but these issues I have tried to meet fairly and squarely and without any sort of evasion.

I want now to continue my reply to the question of the gentleman from South Carolina [Mr. FULMER].

Mr. CANNON. Will the gentleman yield for a question?

Mr. BLACK of Texas. Yes; certainly.

Mr. CANNON. Is the gentleman's amendment approved by the farm organizations who are asking for this legislation?

Mr. BLACK of Texas. I have not asked any of them about it. I hope they do approve it.

Mr. CANNON. The gentleman has not consulted the farm organizations on this?

Mr. BLACK of Texas. Not at all, for this reason: I feel I am sent here as a Representative of the people of my district, and while I have the greatest respect for these farm organizations, I feel I ought to exercise my conscientious judgment on these bills, and that is what I am trying to do. Their advice and counsel will always be welcome on any subject.

Let me continue my reply to the gentleman from South Carolina. The gentleman says we ought to force our farmers to raise corn by charging them $5 a bushel for it. I do not believe in that doctrine. I want to let the farmers manage their own business. I believe they are competent to do it without any advice from me, but under a bill of this kind——

Mr. FULMER. But the gentleman agrees with me it would be better if the farmers did that?

Mr. BLACK of Texas. Yes; and I have told my farmers that many times. I have strongly urged diversified farming instead of a one-crop plan. I do not want, however, to try to compel them to do it. Let them do it according to their own voluntary judgment.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. BLACK of Texas. In just a moment I will be glad to yield. The advocates of this bill call it a bill to "equalize prices." What I want to know is how am I going to lighten the burdens of Texas cotton farmers who have got to buy hundreds of carloads of corn from Oklahoma, Kansas, and Missouri, as well as meat and flour and lard—how am I going to lighten their burdens by voting for a bill that says in its

very language it shall be the duty of the farm board to exercise all of its powers to see that the producers of wheat, corn, swine, cattle, and butter get the foreign price plus the transportation, plus all of the tariff. In other words, to insure by Government insurance the maximum rates of the tariff.

Do not let any of the western farmers think I have in my heart a bit of prejudice in the world against the grower of wheat or the grower of corn or the grower of swine or cattle or the producer of butter. I want to see them get every dollar they possibly can for their products under orderly marketing, but when it comes to asking me to vote for a bill that will put the Government of the United States, with all of its powers, behind the Fordney-McCumber tariff law, put the Government with all its powers into the business of raising these prices up and up and up, until they are maintained at all times, according to the bill, so as to insure the maximum rates of the tariff on wheat, corn, swine, cattle, and butter, then I can not vote for it, gentlemen, and I have offered my amendment to eliminate all reference to the tariff. I hope a majority of the Members will vote for it, and if it is adopted, you will have a much better bill, I think.

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

Mr. CANNON. Mr. Chairman, I desire to present a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON. The gentleman has had an opportunity to present his amendment and has presented it in a very interesting way, as he always does; but in order to save the time of the committee, I make the point of order that the amendment is not in order because it is not germane.

The CHAIRMAN. The Chair will be glad to hear just what is the gentleman's point of order.

Mr. CANNON. On page 11, in section (d), as I recall it, the text deals with price maintenance, and the gentleman's amendment proposes to change it by dealing with surplus control.

Mr. BLACK of Texas. Mr. Chairman, if the Chair will examine my amendment, he will find it does not add any new language to the bill. It simply strikes out all of that part of the bill that refers to the tariff, and takes the other language in the bill and makes it apply to all of the products in exactly the same way. If that is not germane, I would not know how to draw a germane amendment.

Mr. CANNON. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. CANNON. The text says "in maintaining domestic prices which yield the maximum benefits of the tariff thereon." That is the text which the gentleman is seeking to amend.

Mr. BLACK of Texas. That is the text, as a good Democrat, I am trying to strike out.

Mr. CANNON. I agree with the gentleman in that position, but we are talking now about the parliamentary situation. The gentleman's amendment, in the place of that language, seeks to put in this language:

> Withholding the surplus of such basic agricultural commodity and/or its food products, and shall assist producers of such basic agricultural products in controlling the quantity in excess of the requirements for orderly marketing.

In other words, to a text dealing with price maintenance the gentleman seeks to bring in an amendment dealing with surplus control.

The CHAIRMAN. The language the gentleman from Missouri quotes is taken from the bill. The Chair is ready to rule.

The Chair thinks the gentleman from Texas has stated the purport of his amendment correctly. It only attempts to put cotton along with other basic agricultural commodities and treat that commodity the same as the other basic agricultural commodities are treated, and to strike out of the bill the language which refers to the tariff. The Chair overrules the point of order.

Mr. CANNON. The Chairman is correct. I had overlooked that provision.

Mr. ROMJUE. Mr. Chairman and gentleman of the committee, we are proceeding with a view to obtain as much light as we can. I am sure we all heard a few moments ago the discussion by the gentleman from Kansas when he quoted the difference of 1 cent a bushel between the price of corn on the 6th of March and the present, and I think the gentleman was as nearly correct in that as it is possible for him to get in our method of considering markets. But if I understood the gentleman's argument correctly I understood him to say this, that if this bill was enacted into law it would not affect corn. If I understood him correctly he took the position that if the Haugen bill was enacted into law it would not affect the price of corn. If I understood him correctly and if that is the contention that he makes with this committee, then I must submit that he and his working teammate, the gentleman from New Jersey [Mr. FORT] are entirely in discord and disagreement on this vital question.

I read from the RECORD of May 4 a statement by the gentleman from New Jersey [Mr. FORT], who is working side by side with the gentleman from Kansas in opposition to this legislation. On page 8713 the gentleman from New Jersey [Mr. FORT] makes this statement:

> The bill is going to raise the price of corn. That is one of its chief purposes. It is going to raise that price up to the world price. The competing market on corn, by the way, is Buenos Aires, and you have to find out what corn costs in Buenos Aires and add the freight from there to Baltimore and then the tariff of 15 cents to find out what the price of corn is going to be in the United States; but there is 20 cents of freight and 15 cents of tariff, so that you have a 35-cent raise in your corn price over Buenos Aires. Your cattle feeder who is now feeding corn will have to pay more for his corn, but your cattle feeder who has his cattle on the range is not going to pay a cent more to produce them. Then they bring them to slaughter and each of them is going to get a higher price by virtue of the equalization fee, but the man who has fed his cattle corn has an increased cost on his corn to use up the increased profits, and what is going to happen? People are going out of the business of feeding corn to cattle, and they will put them on the range and leave them there as long as they can.

I rose to call the attention of the committee to the disagreement between the gentleman from Kansas and the gentleman from New Jersey as it affects the price of corn.

Mr. FORT. Will the gentleman yield?

Mr. ROMJUE. Yes.

Mr. FORT. I listened to the reading of my language, and I say it is the purpose to raise the price of corn, is not that it?

Mr. ROMJUE. The gentleman says it will raise the price of corn.

Mr. FORT. The word "going" is used in its colloquial sense—that is the purpose of the bill.

Mr. ROMJUE. The gentleman says it is going to raise the price of corn.

Mr. FORT. Is not that the purpose of the bill?

Mr. ROMJUE. Yes; but I am calling the attention of the committee to the absolute disagreement between himself and the gentleman from Kansas, the two most active men in opposition to this legislation; one states that it will not raise the price of corn and the other states that it will, and the gentleman from New Jersey said that it would drive the corn-feeding beef producer out of business. I can not go into that fully for want of time, but I do not think it is true. Anyone who knows the cattle-feeding business knows that the cattle from the range are shipped into the Corn Belt, where they are fed for the market, and that a very small percentage of the beef in the United States is produced from grass.

If the Haugen bill will increase the price of corn, and I think it will, it will also increase the price of cattle and beef, because the bill applies to cattle as well as corn, and that is what the farmer needs, a higher price for his products.

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

Mr. HAUGEN. Mr. Chairman and gentlemen, there can be no question as to the price of corn, the gentleman from Kansas has stated the price correctly. The price of corn I quoted yesterday in Chicago was 77 cents. The price in Argentina is 75 cents and the export tax 1 cent. The tariff is 15 cents and the transportation 11¼ cents making 25¼ cents above the Chicago price of corn. As I stated yesterday, the price varied 15 cents from the time Congress convened to this time. I understand that the reporter took it down from the 4th of March to this time, which is not the fact. The price was 15 cents from the time Congress convened until a few days ago.

While the convention was being held at Des Moines corn advanced 4 cents, and I believe about 4 cents the day after. It is down now to about 74 cents. Here is the report from the Department of Labor, and the average market price in March, 1926, was 74.1 cents, which is 22.2 cents below the ratio price for March. There can be no question about the price, and if the gentleman doubts the statements I have made he can refer to the Argentine Embassy and ascertain.

Mr. HUDSPETH. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. HUDSPETH. I understand that the gentleman says that the price of corn in Buenos Aires is lower than it is here.

Mr. HAUGEN. Seventy-five cents there and 77 at Chicago.

Mr. HUDSPETH. We raise a surplus of corn in this country, do we not?

Mr. HAUGEN. Yes.

Mr. HUDSPETH. If they were all patriotic citizens in this country like the gentleman from Iowa and would buy their steers in Canada and their corn in Argentine, it would not raise the price of corn here, would it? [Laughter.]

Mr. HAUGEN. If you would do what?

Mr. HUDSPETH. If everybody went to Argentina and bought corn, as the chairman of this committee does with steers in Canada, it would not raise the price of corn in this country.

Mr. HAUGEN. The gentleman from Iowa bought feeders and feeds his own corn. The purpose of this bill——

Mr. HUDSPETH. Oh, I know the purpose of the bill, but what is the purpose of the gentleman from Iowa?

Mr. HAUGEN. I will tell the gentleman what the purpose of the bill is.

Mr. HUDSPETH. But I know what the purpose of the bill is.

Mr. HAUGEN. Will the gentleman please give me time to answer him?

Mr. HUDSPETH. Yes. I yield to the gentleman.

Mr. HAUGEN. The purpose of this bill is to give the farmer the benefit of the protective tariff, and the gentleman is opposed to it. As I pointed out to him yesterday, it would help the cattle raisers by several millions of dollars. There is the difference of opinion. The gentleman is not in favor of giving the farmers the benefit of the protective tariff now upon our statute books.

Mr. HUDSPETH. I voted for the tariff that we have already given them.

Mr. HAUGEN. The gentleman will kindly make his speech in his own time. I believe the farmer is entitled to the benefit of the laws upon our statute books. What is the trouble? The six and a half million farmers scattered all over this broad land are unable to organize to pool their whole production, and as a result we are trying now to make it possible for them to pool the whole production and to sell it—to sell for domestic consumption at the American price level, and to sell part abroad at the world price level, and at the end average up the price and thus materially advance the price of the whole production. [Applause.]

In that way we will benefit the corn growers by $752,955,000 for this year, and for last year we would have given them $522,627,500 and for the year before $388,498,500, but the gentleman says not. That is the only difference between us.

Mr. HUDSPETH. Will the gentleman yield to me?

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

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. I am going to quote to the gentleman from some one whom I believe he will accept as fair authority—the gentleman who had the honor and the distinction of writing the Democratic platform, of the State of Missouri, a very excellent gentleman, Mr. Hirth.

Mr. HUDSPETH. I know him.

Mr. HAUGEN. Let me tell the gentleman what he says in response to a question by me about the tariff, printed on pages 174 and 175 of part 5, serial C, of the hearings:

> Mr. HIRTH. Mr. Chairman, you certainly know that it is not our intention to leave the tariff out * * * it was not intended in that way.

What next?

> Mr. HIRTH. Unquestionably we can not protect a domestic market against a world market that is below our cost of production without a tariff.

And again:

> Mr. HIRTH. Surely, Mr. Chairman, you can not be asking that question of me seriously * * *.

And again:

> Mr. HIRTH. Of course it is absurd to discuss it.

And here we have our Democratic friends saying, "No; down with the tariff; by no means shall the farmer have the benefit of the tariff while we have it on our statute books." If you are not going to give them the benefit of the tariff, the next question may be to repeal our tariff laws, to throw the gates wide open to foreign production. [Applause on the Democratic side.] To throw them wide open to foreign production and labor, and the prices can be leveled in that way.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. No. I regret I have not the time. No one has suggested that. The farmers have not come here and asked to reduce the standard of living. They are as proud of your success as anyone, and yet you gentlemen are opposed to giving them one cent, or a fraction of a cent, on a loaf of bread. We have closed the gates, and by the latest available report of the Bureau of Labor Statistics the index union scale of wages has gone up to about 255 for May, 1925, as compared to the index number of all commodities 160, for March, 1926, and yet you say no; that the farmer shall be made to suffer as he has in the past. During the war they planted and they sacrificed. They were told, "Sell your wheat for $2 a bushel." Italy guaranteed $4.44 for the 1919 crop; France, $3.84; Holland, $3.30; Switzerland, $3.18; and Norway, $4.09; and $70,000,000 was taken and put into the Treasury, and it is there, and all that is asked is to give the producer an opportunity to take the benefit of our tariff laws as promised them in our party platforms.

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

Mr. HAUGEN. I think this ought to do for a while.

Mr. HUDSPETH. Let us have a little more. The gentleman stated yesterday that under this bill there was put into the pockets of the cattlemen $760,000,000. That is a considerable sum.

Mr. HAUGEN. I will give the gentleman the exact figures.

Mr. HUDSPETH. The gentleman did not give me an explanation of why yesterday.

Mr. HAUGEN. I will give the gentleman the exact figures. What year does the gentleman ask for?

Mr. HUDSPETH. The gentleman said it would put each year into the pockets of the cattlemen $760,000,000.

Mr. HAUGEN. For the year 1924, $284,658,400; for 1925, $332,078,400; a total for the two years of $616,736,800 net after paying the equalization fee.

Mr. HUDSPETH. Does the gentleman base that on the rise in price under this bill over the present price of cattle?

Mr. HAUGEN. That is taking the benefit of the tariff if the bill had been in operation. That is what they will get next year if the gentleman will join with us.

Mr. HUDSPETH. The gentleman is referring now to the tariff that the gentleman from Illinois [Mr. RAINEY] is going to put on?

Mr. HAUGEN. I am referring to the tariff on the statute books—3 cents a pound for beef and 1 cent a pound for lard.

Mr. HUDSPETH. That is the present tariff.

Mr. HAUGEN. We are not raising the tariff. I take it the gentleman has reference to an embargo.

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

Mr. BARKLEY. Mr. Chairman, I offer a substitute to the amendment offered by the gentleman from Texas [Mr. BLACK].

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

> On page 10, lines 13 to 23, after the word "requirements," strike out all down to and including the word "product" in line 23; and on page 11, lines 7 and 8, strike out the following words: "which yield the maximum benefit of the tariff thereon."

Mr. BLACK of Texas. Mr. Chairman, I make the point of order that the amendment is not a substitute to my amendment. My amendment, if the Chair will recall, begins on page 10, line 3, after the period, and strikes out all the balance of the line and the balance of the page, whereas the gentleman's amendment only begins in line 13, I believe. I make the point of order it is not a substitute.

Mr. BARKLEY. Mr. Chairman, the difference between this amendment is, the gentleman from Texas strikes out the entire page and rewrites it practically he says. As the bill now stands with the language I strike out I want to strike out the objectionable language and leave the bill as it is.

Mr. BLACK of Texas. The trouble about the gentleman's language is, if he strikes out it would not make my provision applicable to wheat, corn, swine, cattle, and butter.

The CHAIRMAN. The Chair is inclined to think that the amendment of the gentleman from Texas is more in the nature of a perfecting amendment, and the gentleman's proposed amendment ought to come later after the amendment of the gentleman from Texas has been disposed of. The rule does not provide for offering a substitute to the original amendment. The rule provides for the offering of an amendment to the amendment and then an amendment in the nature of a substitute. The Chair will sustain the point of order.

Mr. BARKLEY. I offer my amendment as a perfecting amendment to that of the gentleman from Texas.

Mr. BLACK of Texas. I make the point of order that it could not be offered until the amendment now pending is disposed of.

The CHAIRMAN. The vote will come upon the amendment offered by the gentleman from Texas.

Mr. BARKLEY. The gentleman from Texas offered to strike out a whole page. Is it not in order to perfect that page before his amendment applies?

The CHAIRMAN. If the gentleman has a perfecting amendment to make preceding the motion of the gentleman from Texas——

Mr. BARKLEY. But the amendment which I have offered is designed to perfect the language as it is written.

The CHAIRMAN. It seems to the Chair that that argument might be directed against the motion of the gentleman from Texas, and if the committee agrees with the gentleman from Kentucky and votes down the motion of the gentleman from Texas, then the motion of the gentleman will be in order.

Mr. DAVIS. May we have the Black amendment reported?

Mr. WHITTINGTON. Mr. Chairman——

The CHAIRMAN. Without objection, the Clerk will report the amendment of the gentleman from Texas [Mr. BLACK].

Mr. JONES. I understand the gentleman has withdrawn that request.

The CHAIRMAN. The Chair understands the request to have the amendment reported again has been withdrawn.

Mr. WHITTINGTON. Mr. Chairman, I desire to say just a word on the amendment offered by the gentleman from Texas. The argument for orderly marketing and for stabilizing the price of cotton is just as applicable to wheat and corn as it is to cotton. One of the purposes of the Haugen bill is to make effective the tariff on agricultural products. There is no tariff on cotton. Manifestly, it is impossible to make a tariff effective on cotton. Mr. Chairman, I want to submit this observation: From 55 to 65 per cent of cotton is exported, and an argument for a tariff on cotton generally is not the same as an argument for a tariff on wheat. But if I can get the attention of the committee for just a moment, I want to remind you also that all cotton is not of the same staple, and I want to say this, that there are certain staples of cotton produced in the United States on which the tariff could be made just as effective as it is on wheat or as it is on corn, and in support of that statement I remind the committee that there is produced in the United States annually an average of about 800,000 bales of long-staple cotton. That production is confined to the Mississippi Delta, parts of Arkansas, and parts of Louisiana, Arizona, and California. I remind you also that about 75 per cent of the production of long-staple cotton is consumed in the United States and that only about 25 per cent is exported. Therefore we have this situation: In the case of wheat about 20 to 25 per cent is exported. There is a tariff on wheat, and the president of the largest staple cotton cooperative association in the United States, which is located in my district, has advised me that unless there is a tariff of at least 10 cents a pound on staple cotton no benefit can accrue to staple cotton under the pending bill. If it were not subject to a point of order, Mr. Chairman, in order that the Haugen bill might be made as effective on staple cotton as on wheat, an amendment should be adopted as follows:

There is hereby levied a duty or tariff of 10 cents per pound on all cotton having a staple of 1⅛ inches or more in length imported into the United States.

Since it is under the rules impossible to so amend the bill as to provide for a tariff on long-staple cotton, and inasmuch as it is intended to give agricultural products a square deal in the proposed legislation, I respectfully submit, Mr. Chairman and members of the committee, that in fairness to all production of cotton, wheat, and corn, the question of the tariff ought to be eliminated, and no statesman or economist can successfully deny the proposition that the matter of stabilizing the market on cotton and of orderly marketing as applied to cotton can not with equal force be applied to wheat and corn.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. Yes.

Mr. NEWTON of Minnesota. Of course, there are different qualities of wheat, and very little of the high quality of wheat is exported. I do not know as to the export of the high quality of wheat.

Mr. WHITTINGTON. I said that if we accept as sound the proposition that a tariff on a product like wheat, of which we export 25 per cent, is sound, then I respectfully submit that with equal force the argument ought to apply to long-staple cotton, about 25 per cent of which is exported and goes into the markets of the world in competition with the staple cotton of Peru and Egypt. [Applause and cries of "Vote"!]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BLACK of Texas. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 40, noes 65.

So the amendment was rejected.

Mr. BARKLEY. Mr. Chairman, I offer the amendment which the Clerk has at the desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: Page 10, line 13, after the word "requirements," strike out all down to and including the word "product" in line 23; and on page 11, lines 7 and 8, strike out the following words: "which yield the maximum benefits of the tariff thereon."

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Does the gentleman from Iowa reserve the point of order or make it?

Mr. HAUGEN. I make it. The amendment, as I understand it, Mr. Chairman, has been voted on three times.

The CHAIRMAN. If the gentleman from Iowa makes the point of order, the Chair would be glad to hear it.

Mr. HAUGEN. The same amendment practically has been voted on twice.

Mr. BARKLEY. The gentleman from Iowa makes the point of order that the amendment has been voted on twice. But this amendment has not been offered before, and has not been voted on at all. It has not been offered by anybody before. It simply strikes out certain language without inserting anything. It has not been voted on before.

Mr. RAMSEYER. Reserving a point of order, Mr. Chairman, the only difference between the gentleman's amendment and that of the gentleman from Texas [Mr. BLACK] is this: The amendment offered by the gentleman from Texas struck out everything beginning with line 3 down to the next page on line 13, I think, and then he reoffered it, eliminating just exactly what the gentleman from Kentucky now seeks to strike out separately. I think that for all intents and purposes the Barkley amendment is identical with the Black amendment.

The CHAIRMAN. The Chair is ready to rule. The amendment of the gentleman from Texas [Mr. BLACK] includes other material provisions, among them a provision making no distinction between cotton and other basic agricultural commodities. The amendment which the gentleman from Kentucky [Mr. BARKLEY] has offered simply provides for striking out the tariff as affecting the product. The Chair overrules the point of order.

Mr. BARKLEY. Mr. Chairman and gentlemen of the committee, I desire to say simply that I have offered this amendment, not for the purpose of precipitating a debate on the merits of the tariff, because, regardless of our position on that economic tax question, I am cooperating with the real friends of agriculture here and the farmers who desire to see beneficial legislation enacted; but I have offered the amendment after consulting the friends of this bill on both sides of the House, including some members of the Committee on Agriculture. I trust that the amendment can be accepted by the committee, and if not accepted in whole by the committee it may be supported by members of the committee who are friendly to this legislation. I have been assured by gentlemen on both sides of the House who want real legislation for the benefit of agriculture that the inclusion of this language in the bill confers no benefit whatever upon those designed to be benefited by the legislation and that its elimination will not in any way hurt those who are involved in the legislation which we are seeking to pass in their behalf.

Now, if that be true, that the inclusion of this language is of no real benefit and that its elimination does no harm to the bill and the friends of the bill and those intended to be benefited, I see no reason why it ought to remain in the bill.

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

Mr. BARKLEY. Yes.

Mr. GARBER. The amendment of the gentleman in no way restricts the discretionary power of the board, does it?

Mr. BARKLEY. It does not.

Mr. GARBER. And it would remove the objections that are being made to it and which are liable to cause its veto by the President if it should reach the President?

Mr. BARKLEY. There have been four objections urged against this bill. They have been urged by some in good faith,

by many Members. They may have been used by some who are opposed to the legislation as an excuse for their opposition to the legislation. In many cases these objections have been urged in good faith. One has been the compulsory equalization fee, which has been to some extent corrected by the amendment offered by the gentleman from Iowa [Mr. HAUGEN]. Another has been an embargo, which is to be eliminated by an amendment which is to be offered by the gentleman from Iowa [Mr. HAUGEN]. Another objection, and a legitimate objection, has been the artificial and arbitrary yardstick which this bill includes and which its friends, both in and out of the House, say will not help the farmer and, therefore, ought not to have been in it from the beginning. If these are stumbling blocks in the way of the real friends of agricultural relief and if its inclusion benefits nobody, I ask why it is continued to be used as a stumbling block to those who desire to help pass real legislation in behalf of the farmers?

Mr. WILLIAMSON. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. WILLIAMSON. As I understand, the gentleman's amendment strikes out the language on page 10, from lines 13 to 23, after the word "requirements."

Mr. BARKLEY. Yes.

Mr. WILLIAMSON. That certainly would make it necessary to rewrite a good portion of the bill immediately prior to that. There is one thing sure, that the provision which the gentleman seeks to strike out in no way can injure the cotton people, and this board, which will have charge of these operations, will only have such powers as are expressly given to the board by this law. Now, then, if you remove this provision this board will be without any authority at all to fix the amount of the equalization fee, because there will be no authority left in the bill to do it.

Mr. BARKLEY. There is nothing in this amendment that takes away from the board any authority it possesses. It simply provides that as a guidepost this artificial tariff which is provided in the bill shall not be used as a yardstick for the fixing of prices of agricultural commodities.

Mr. BURTNESS. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BURTNESS. Does the gentleman know of any individual Member of the House who will vote for this bill if your amendment is adopted and who will vote against it without the adoption of your amendment?

Mr. BARKLEY. I do not care to name the Members of the House.

Mr. BURTNESS. I do not ask the gentleman to do that.

Mr. BARKLEY. I do; yes.

Mr. BURTNESS. I might say that I know of a number whose attitude would be just the opposite.

Mr. BARKLEY. Of course, the gentleman will have to be governed by his own conscience in that regard. But I do know that the adoption of this amendment would enable a number of gentlemen, who can not vote for the bill if this is left in, to support the bill.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. NEWTON of Minnesota. If this yardstick is taken out then what sort of a yardstick will there be left in order to guide and control the board in putting into effect these various propositions?

Mr. BARKLEY. Well, the yardstick would be, of course, subject to the discretion of the board in determining world conditions and the amount of the surplus of a given product on hand. That is the yardstick provided in the matter of cotton.

Mr. NEWTON of Minnesota. But does not the gentleman think there should be some sort of a yardstick laid down by Congress to control and to guide the board in its deliberation?

Mr. BARKLEY. I do not think that this sort of a yardstick ought to be laid down when it is purely artificial. You might as well say you could put in any figure. It is arbitrary and artificial, and Congress might with equal justice adopt any other yardstick which would be arbitrary and artificial. I think the board ought to be left with discretion as to its own yardstick and such as it might see fit to adopt.

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

Mr. BURTNESS. Mr. Chairman and gentlemen of the committee, I rise in opposition to the amendment.

We have come to an important place in the discussion of this bill, and I do want to try to do away with a little bit of misunderstanding which I believe exists with reference to what the provisions that are sought to be stricken out really do. I regret to be informed that there seem to be a few—but I think a very few—men who have been supporting the principles of the Haugen bill who are disposed to follow what they may think is somewhat of an expedient move in striking out this language. By doing that, as has been so plainly pointed out by the gentleman from South Dakota in his question to the gentleman from Kentucky, the author of the amendment, you eliminate the principal yardstick which is set out as an instruction to the board; you eliminate the instruction which is given to the board that amounts to anything, and I think I can show you later that the adoption of the amendment as proposed by the gentleman from Kentucky would do the very opposite thing from what this bill is intended to do.

Under the terms of the bill as drawn what must be found before this board shall establish an operating period? They must find, first, that there is a surplus above domestic requirements. They must find, next, under the bill as drawn—and this is an important part of it—that the price in the principal market of the United States is materially lower than the price in the principal export markets of the principal competing country, plus the tariff and plus the cost of transportation. That is the second thing they must find. Then, under the amendment we adopted a couple of days ago they must find that a substantial number of cooperatives in a certain commodity are in favor of establishing an operating period upon such commodity.

Those are the only things that must be found before they establish an operating period, but each of them is a necessary prerequisite.

The error has been made by a great many who have taken the floor, including the gentleman from New Jersey [Mr. FORT] and the gentleman from Texas [Mr. BLACK], that this board is given instructions to maintain a domestic price equal to the world price plus the tariff and plus the cost of transportation. That provision is not in the bill at all.

Mr. McSWAIN. Will the gentleman yield?

Mr. BURTNESS. I will be glad to yield a little later, but I want to debate this in a connected way.

That feature is not in this bill at all. It is true that when the finding is made that the price is not the world price, plus the tariff, plus the cost of transportation, and when these other things are found by the board, then they are to commence an operating period; but there is not one single word of instruction in the bill to the board to the effect that they shall maintain or attempt to maintain a domestic price, plus the tariff, plus the cost of transportation. The only place where there is any instruction as to the price it is to try to maintain is in the words which the gentleman from Kentucky [Mr. BARKLEY] is seeking to strike out of this bill, the words in lines 7 and 8 on page 11; that is, domestic prices "which yield the maximum benefits of the tariff thereon."

The legislative guide, therefore, after an operating period has been declared, is a mandate to the board to so conduct business that it will provide for the domestic producers of these crops or products the world price plus the tariff, if it is possible to do so. Transportation costs are not included.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. BURTNESS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McSWAIN. Will the gentleman yield for a question?

Mr. BURTNESS. Yes; I will yield now.

Mr. McSWAIN. Does the gentleman in his study of this matter believe that this bill will help the cotton farmer also?

Mr. BURTNESS. So the cotton people tell me, and I take their word for that.

Mr. McSWAIN. The gentleman has studied this question very broadly——

Mr. BURTNESS. I am not now discussing the merits in so far as they affect the cotton people. I think operation under the bill will tend to stabilize the price of cotton, but, of course, the bill recognizes that a different guide, a different yardstick, and a different purpose must be used and maintained in connection with cotton than that which is used and maintained with reference to crops or products on which we have a tariff.

Mr. McSWAIN. I would like to ask the gentleman this question: What is the yardstick that this bill lays down to guide the board in determining a reasonable and proper and fair price of cotton?

Mr. BURTNESS. There is no definite one, and the gentleman from Kentucky [Mr. BARKLEY] tries by his amendment to make the bill with reference to every other product and crop subject to the same situation. He refuses to recognize the difference between them, due to the existence of a tariff on all but cotton.

To you on the Democratic side let me emphasize that the words eliminated by the proposed amendment do not say "which yield the benefits of a protective tariff"; nothing of

that kind. Where is my genial friend from Texas [Mr. HUDSPETH], who was here a few moments ago, or any of the rest of you who have voted at times in the past to impose tariff duties on farm products? Here is Mr. BLANTON. Why has he voted to put a tariff on farm products? Why, it was for the sole purpose of reflecting the amount of that tariff into the price that is received by the producers of his district and the producers of that product throughout the country, is not that right?

Mr. BLANTON. Will the gentleman yield?

Mr. BURTNESS. Certainly.

Mr. BLANTON. It was to give the farmers a fair share of the $500,000,000 we collect through the customhouses and not give it all to New England.

Mr. BURTNESS. And the only way you could give it to them at that time, as you deemed it advisable, was to give them a tariff, because that tariff would in your opinion be reflected into the price of the product to the producer, is not that correct?

Mr. BLANTON. Why, certainly.

Mr. BURTNESS. Of course. There is no other reason. So all this bill does is to make that the ideal for the board, so as to make it possible for the farmer to get such a price, whether the tariff so reflected be a high protective tariff, a low protective tariff, or some other kind of tariff, and surely that is fair. Free trade or protection is therefore not involved. We simply take the tariff as it is at any given time.

If you eliminate that provision, how can the producers of this country, when they want an operating period established, go to the board and ask them to do something? What would be their argument? The situation in the bill would be this: If the board is established and if the wheat farmer or the hog producer or anybody else, when he examines the markets throughout the country and throughout the world, finds that the markets here are such that he is not getting the benefit of the protective tariff or the tariff for revenue only or whatever other tariff may be on the statute books, he then has an argument, and he goes to the members of the board and says, "Here, Mr. Board Member, this is our situation. The world price is so-and-so. Congress has declared by statute that the producers of this particular product are entitled to the tariff of so much. We are not getting any of the benefit of that tariff in our domestic price at the present time. The product is controlled entirely by the world market, and, therefore, it is necessary, and it is your duty under the law, if we desire it, to start in on an operating period."

Why else is it very important to put in this provision? It is necessary for them to know what they are to attempt to do when they fix, as they must fix at the beginning of the operating period, the equalization fee which they are to charge.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. BURTNESS. I have hardly the time now, but I will yield later, if I can get more time.

In the case of wheat, for instance, and I am using this simply by way of illustration, in round figures the tariff is 40 cents. One-fourth of the wheat will have to go into the export trade. If the guide is to bring the price of wheat up 40 cents, they will know that the equalization fee will need to be about one-fourth of the total amount, or 10 cents. If you have not given them any other guide, if you turn them loose and say nothing in the law, they will not know whether they are supposed to raise the price 2 cents or 20 cents or $1 or by any other figure. Let us be specific in this bill. Let us tell them what we want them to try to do.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. BURTNESS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

Mr. RAGON. Mr. Chairman, reserving the right to object, I hate to object to this request, but it seems to me if we could avoid a lot of these meaningless questions propounded here we could get along on a whole lot less time. I am not going to object this time, but I am going to serve notice now that hereafter I shall object to some of these requests.

Mr. GREEN of Iowa. Mr. Chairman, reserving the right to object, I wonder if there will be any time granted to anybody else to speak on this bill. I have not said anything with respect to the bill and I would like to have some time.

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

There was no objection.

Mr. OLIVER of Alabama. Will the gentleman yield for a question?

Mr. BURTNESS. Yes.

Mr. OLIVER of Alabama. I wish to say that I think the amendment of the gentleman from Kentucky is offered for the purpose of trying to make friends for this bill.

Mr. BURTNESS. I do not dispute that, though I may not agree as to probable results.

Mr. OLIVER of Alabama. Then let me ask the gentleman this question: This bill provides a method for selecting the personnel of the board, which gives every reasonable assurance that the board so selected will be composed of friends of the farmer?

Mr. BURTNESS. That is the purpose of its provisions.

Mr. OLIVER of Alabama. And, after all, it is the personnel of the board who will determine whether this act, if passed, will be effective. Now, the gentleman read from page 10 of the bill these words:

> And that the price of any such commodity of food product in any principal market of the United States is materially lower than the price thereof in the principal export market—

And so forth. In other words, before the board can make this bill effective it must find that the price abroad is materially less than here; and in thus using the word "materially" you thereby clothe the board with a broad discretionary power in the stabilization of prices on such products.

Mr. BURTNESS. Of course, it must have some discretion.

Mr. OLIVER of Alabama. In other words, if the price was only moderately less the board is not given the power to put in motion certain provisions of the bill. So in using the word "materially" you thereby clothe the board with discretion. If the board, composed of friends selected from a small list submitted by farmers, is clothed with a broad discretion in the matter of establishing a fair and remunerative price, why should you be uneasy as to what they will do? Why not trust them to do what is fair in the matter of maintaining proper and just prices on the farm products which this bill seeks to protect?

Mr. BURTNESS. We do not know who will be on the board, and the board is entitled to know what is in the mind of Congress. We should not leave the board in the dark. We are the Representatives of the people of the country, and for their protection and the protection of everyone we ought to give some sort of a mandate to the board as to what we expect it to accomplish and as to when we feel it would be justified to operate on any crop.

Now, what is in our minds as to what price the farmer is to get? Do not forget that the farmers realize that every additional bushel of wheat or of corn or additional meat products may directly affect the world market, whether we have this bill or do not have it. This country has never provided a tariff on farm products that is any higher than the difference between the cost of production in this country and abroad. Now, then, is it unfair in trying to set up this machinery to say that the tariff rate is the additional amount we want reflected to the farmers in this country above the world price when the board establishes an operating period?

Another important matter: Even if the gentleman's amendment is adopted in principle, he does not mean to say that he wants to leave the language on page 11 as he does leave it. The language as he leaves it if you eliminate the words is an instruction to do what? To maintain "domestic prices." Why, good Lord, the very purpose of the bill is to make it possible to have a higher price, so far as the domestic consumption is concerned, in export surplus crops—that is, a different price from what we talk about usually as the "domestic price." Generally speaking, as to some of the crops the domestic price is the world price less the cost of transportation. I submit to all of you that before you vote for the amendment of the gentleman from Kentucky you examine very carefully the language found in lines 6 and 7. During such operations the board shall assist in doing what? "In maintaining domestic prices." Do you want to maintain 50-cent corn in Iowa by legislation? I think not. Let us vote down the amendment and tell the board to try to maintain prices at the world price plus the tariff. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. BARKLEY) there were 55 ayes and 73 noes.

So the amendment was rejected.

Mr. FORT. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

> Page 13, line 4, strike out subparagraph (g) and insert in lieu thereof the following:
>
> "(g) In entering into such agreements the board shall not discriminate between any persons engaged in handling, buying, selling, storing, or processing any such basic agricultural commodity or any food product thereof, but shall offer to enter into such agreements on equal or equivalent terms with any and/or all such persons so engaged."

Mr. FORT. Mr. Chairman, the bill as introduced and before the House contemplates the possibility of the board entering into contracts to carry out its provisions through three different classes of organizations. The first of these classes is cooperative associations engaged in the handling of commodities. The second of these classes is corporations or associations created by two or more of such cooperatives, and the third is persons engaged in processing the commodity. By the bill, in the clauses relating to definitions, the term "person" means "individual, partnership, corporation, or association."

In subparagraph (g) as presented to the House the board is limited to this extent:

(g) If the board is of the opinion that there are two or more cooperative associations capable of carrying out any such agreements, the board, in entering into such agreements, shall not discriminate unreasonably against any such association and in favor of any other such association.

The amendment which I have introduced provides that the board may not discriminate between any persons—which under the language of the bill includes cooperative associations, individuals, or corporations—may not discriminate between any persons whatever in the making of these contracts, but that it must recognize and must enter into these contracts with anybody in the food business who is willing to make a contract upon equal or equivalent terms.

As I have already explained to the House, this bill as it is now drawn proposes to enable this board to create an absolute monopoly of the food business and of the cotton business of America if it so chooses. As the bill is now drawn it will permit this board, if it so desires, to select Washburn-Crosby and refuse to recognize Pillsbury, to select Armour and refuse to recognize Swift, to select one farmer's elevator in a town and refuse to recognize another. It proposes in its present state to put out of business every independent handler of food in America to whom it does not give a contract. The amendment that I am offering here to-day is for the purpose of preventing any discrimination, of insuring to the men who now are engaged in the various food trades the preservation of their business against attack by the Government.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. NEWTON of Minnesota. And the way the bill is now drawn it would permit them to place the whole export trade in a given commodity in the hands of one corporation or of one individual.

Mr. FORT. Or of one cooperative. In the shape the bill is now this board may, if it chooses, give over the entire food business or the entire cotton business of America to a single organization.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. CANNON. Mr. Chairman, I make the point of order that it is not germane.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CANNON. The text provides that the board shall not discriminate between associations. The amendment which the gentleman proposes provides that the board shall not discriminate between persons. I think it will be conceded that it is not germane.

Mr. NEWTON of Minnesota. As I understood the amendment of the gentleman from New Jersey, he uses the words "associations, cooperatives," and adds to them the word "persons."

Mr. FORT. No; that is not correct. I used the word "persons," which is subsequently defined in the bill itself as including persons, individuals, corporations, or cooperative associations.

Mr. CANNON. Which makes it a general term, and it is a well-established rule that you can not amend a specific provision with a general provision.

Mr. NEWTON of Minnesota. Does the gentleman mean to say that a paragraph in a bill which is drawn specifically can not be amended by the Committee of the Whole by making it general and extending its provisions?

Mr. CANNON. You can offer any amendment if it is germane.

Mr. DICKINSON of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. DICKINSON of Iowa. This provision is put in here for the purpose of giving the board the choice between two cooperative associations or of producers.

Mr. CANNON. Exactly.

Mr. DICKINSON of Iowa. The gentleman from New Jersey seeks to amend it so as to broaden it and compel the board to make a choice between persons, corporations, and associations, and in that way extends and broadens the bill to where it brings within the provisions of the section a class not intended by the section at all.

Mr. CANNON. Yes; and is certainly not germane.

Mr. DICKINSON of Iowa. And is not germane.

Mr. FORT. Mr. Chairman, on page 11 this same section, in subparagraph (d) uses the word "persons" as those with whom these contracts may be made. This is a subparagraph in the same section which I seek to amend.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. COOPER of Wisconsin. I understood the gentleman to say that he used the word "person" and then that it was defined in the language of the bill itself.

Mr. FORT. Yes.

Mr. COOPER of Wisconsin. And the gentleman said it included cooperatives. I think the gentleman is mistaken. If he will turn to page 22 he will see that the word "person" is defined to include an "individual, partnership, corporation, or association," and in a paragraph of the bill just once removed from that there is the specific definition of cooperative associations, so that by a fair construction of the bill it does not come under the word "person."

Mr. FORT. Would not "all associations" include cooperative associations?

Mr. COOPER of Wisconsin. Not where there is an express definition of cooperatives. There is a definition in the bill on page 32, paragraph (h) of the term "cooperative association."

Mr. FORT. I appreciate that.

Mr. COOPER of Wisconsin. And above that there is the definition of the word "person." Therefore a cooperative association, having a separate definition, would not come under the construction of the word "person."

The CHAIRMAN. The Chair is ready to rule. This entire section is a limitation upon the board. Subsection (e) provides for the making of these agreements with others than cooperative associations. The amendment which the gentleman from New Jersey has submitted is a limitation upon the board's action, perhaps somewhat broader than that in paragraph (g) as it now stands, but it seems to the Chair that he would not be warranted in ruling the amendment out of order upon the ground that it is not germane. That would be a very narrow construction of the rule. The Chair therefore overrules the point of order.

Mr. NEWTON of Minnesota. Mr. Chairman, if this bill is going into effect and all of these great commodities are placed in the control of the board and the expenses of the board are to be paid out of the Public Treasury—the bill now provides that—it seems to me that under these circumstances the board should be prevented from operating so as to discriminate against any particular individual, cooperative organization, or corporation. There has been built up in this country in the past 50 years a great marketing system. It makes possible the movement of these commodities following the harvesting of the crop. The movement of the crop on these commodities involves an outlay of hundreds of millions of dollars annually. One of our tasks is to improve our marketing system so as to more orderly market these commodities. Now, then, that being the problem the board in attempting to solve that problem ought not to have the power to wreck each and every piece of existing machinery by discriminating against the existing individuals and corporations now engaged in the marketing of these commodities. The ultimate effect of this discrimination would be to force them out of business. Such a course would not afford any relief to the farmers. It would have the opposite effect. It seems to me that the amendment offered by the gentleman from New Jersey is sound. Not only is it sound, but fair. There should not be power in the Government to discriminate among taxpayers.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. DICKINSON of Iowa. The purpose of this bill is to encourage cooperative producers' associations in marketing their products to the best advantage.

Mr. NEWTON of Minnesota. Yes.

Mr. DICKINSON of Iowa. In order to do that you have to carry the machinery clear through. Now, the gentleman wants to do the same thing by this amendment that is now being done. That is this: He wants to say to these associations, "Here is this machinery. When you want to export or handle this in a way for the protection of the producer you have got

to come in and protect the fellow who is not protecting the farmer now." That is what we do not want to do in the bill.

Mr. NEWTON of Minnesota. I am not so concerned in protecting the interests of the man who claims to be in the business of looking after the farmer. I want to see the actual producer or grower himself protected.

Mr. DICKINSON of Iowa. That is what we are doing here.

Mr. NEWTON of Minnesota. That may be or may not be the case. I want the man in charge of the selling——

Mr. DICKINSON of Iowa. The gentleman wants the export corporation which has been skinning the farmers for years to be given a life lease under this bill.

Mr. NEWTON of Minnesota. No.

Mr. MORGAN. Is it not a fact that if there are two institutions in a locality where there is a surplus of products and the cooperatives heretofore have handled 50 per cent of that surplus and the independent operator 50 per cent that this bill automatically puts the independent out of business every year?

Mr. NEWTON of Minnesota. Yes; and gives the cooperative a monopoly of the business in that locality.

Mr. MORGAN. Is not this the fact, that the remedies that they are endeavoring to bring about is for the farmer to get the foreign price plus the tariff? And is it not a fact that if the local operator will purchase 50 per cent of the product of a community plus the tariff he gets the benefit of the operation under the bill, without any discrimination under its operation?

Mr. NEWTON of Minnesota. Exactly.

Cooperative marketing has worked fairly well as to some commodities. It should be encouraged. There is grave doubt as to how it will work out on wheat and other world-wide staples. The North Dakota wheat pool, for example, in 1924, I believe, had an expense of around 12 or 13 cents per bushel. This was about double the charge to the farmer by the independent companies. A southwest pool of Oklahoma for 1924–25 handled over 8,000,000 bushels. Their expense was about 13 cents per bushel for marketing. In Minnesota we had a potato pool or cooperative last year. The price of potatoes was high last year. Everything was favorable to the success of the effort. But the farmers placing their potatoes with the cooperative or pool received net about 18 cents per hundred pounds, while those outside of the pool who marketed through independent agencies received a net price per hundred far in excess of that. If the cooperative or pool is efficiently run it requires no discrimination to succeed. If it is not, it does not deserve to succeed. Competition will maintain efficiency in the marketing agencies.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the amendment was rejected.

Mr. CONNALLY of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 11, line 5, after the word "marketing," insert the following: "And in maintaining domestic prices for cotton at levels which shall bear the same ratio of increase in price as in the case of the average of increase in price of other basic commodities under this act.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee. This bill under subdivision (d), to which my amendment is offered, sets up two standards of handling agricultural products. One of those standards applies to cotton, and the other standard applies to corn, wheat, swine, cattle, and some other agricultural commodities. If Congress is to deal with the great subject of agriculture it ought to deal with it in a broad, sympathetic manner, and not discriminate as between products of the farm. This bill is brought before the House and gentlemen who are supporting it say it is not a sectional bill, that it is a national bill. And they offer it because they say that agriculture is a basic industry, absolutely essential to the welfare of the whole Nation, and therefore legislation in behalf of agriculture is justified because it is a national problem. But when it comes, my friends, to setting up the manner of treatment as to basic agricultural commodities, what does the bill do? The one great money crop, the cotton crop, the crop that is greater than all the others from the standpoint of exportable surplus, when it comes to cotton the committee says, "The board shall assist in orderly marketing."

In the case of cotton all that the bill proposes to do is to "assist in orderly marketing," but in the case of corn and wheat it proposes to artificially raise the price of both and pay for the increase out of the Treasury and the equalization fund on those products. What justification is there for any different treatment as between cotton and corn? Here is one row of cotton in a field, and on the other side of the fence, on the other side of the road, is a row of corn. By what standard of measurement is it just and fair to say, "We will treat cotton on one side of the road by one standard of measurement and we will treat corn from the district of the gentleman from Illinois [Mr. WILLIAMS], who is on the committee, from another standpoint and by another standard of measurement," which will hoist it up in price, while cotton is to be left to the tender mercies of "orderly marketing"?

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

Mr. CONNALLY of Texas. May I have 10 minutes more?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes more. Is there objection?

There was no objection.

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

Mr. CONNALLY of Texas. I will yield to the gentleman from South Dakota.

Mr. WILLIAMSON. The reason for the difference in the handling of cotton and of corn is because on cotton there is no tariff and on corn there is a tariff of 15 cents a bushel.

Mr. BLACK of Texas. Also, under the flexible provisions of the tariff law the President could increase the tariff on corn 7½ cents more, making it 22½ cents.

Mr. CONNALLY of Texas. There is also a tariff of 42 cents a bushel on wheat. I am glad the gentleman from South Dakota asked me that question. I have had him in mind for some time, because last week, when he spoke on this bill—and his speech is in the RECORD—he said, "I do not expect this board to do much with cotton," or words to that effect. What the gentleman proposes is to do something for wheat in South Dakota. He is not interested in cotton.

Mr. WILLIAMSON. What I said was that no part of the money intended for the equalization fee is going to be used for cotton. It is for loan purposes.

Mr. CONNALLY of Texas. If the gentleman from South Dakota will keep on talking, we shall get the truth on this question. It will creep out. If you are not going to help the farmers who produce cotton, what are you going to do? You are going to have an equalization fee on cotton, a Federal tax on every bale to go into the equalization fund. Are you going to raise the price of cotton? No. Are you going to raise the price of corn? Yes. Are you going to raise the price of wheat? Yes. How? By taking the price of wheat and corn in the United States, and if that domestic price is lower than the foreign or export price plus the tariff of 42 cents a bushel on wheat and 15 cents a bushel on corn, and transportation, then this board will begin artificially to increase the price of wheat and corn by purchases until the price is raised in the case of wheat 42 cents a bushel and corn 15 cents a bushel plus freight above the export price.

Now, what will my amendment do? It provides that not only shall the board aid in the orderly marketing of cotton but it shall endeavor to do the same thing with reference to cotton in seeking to maintain the domestic price as it does with reference to wheat and corn. And I want somebody to tell me one reason why corn and wheat should be artificially boosted in price by a subsidy from the Treasury, and when it comes to cotton all you promise to do is to treat it politely and say, "We want you to market it in an orderly manner."

My friends, if we should produce 16,000,000 bales of cotton this Federal board would have the power to determine what "orderly marketing" means, because there is no definition in this bill of what "orderly marketing" is. The Federal board might say that "orderly marketing" is to go ahead and feed it into the market at once.

Mr. GARRETT of Texas. Mr. Chairman, will my colleague yield?

Mr. CONNALLY of Texas. Certainly.

Mr. GARRETT of Texas. You are not only going to boost the price of wheat by the amount of the tariff plus the transportation, but they would buy up all that commodity, and there would be nobody to compete with as regards that commodity.

Mr. CONNALLY of Texas. Yes. I thank the gentleman for that suggestion. My amendment seeks to set up for the cotton farmer who is to pay the equalization fee that is to be fixed and levied by the Federal board on every bale of cotton after two years, for the cotton farmer who to-day is in distress, for the cotton farmer who has suffered all the misfortunes and calamities that the wheat farmer and the corn farmer have been suffering for the past few years, what the bill proposes to set up for the corn and wheat producer. To those of us who come from the cotton States this story of the hardships of the

western wheat and corn farmers is no new story. The admission of the gentleman from Iowa [Mr. HAUGEN] in his report on this bill that the tariff is responsible for the farmers' condition in the West and that the tariff on agricultural products does not help the farmer is the story of what the high Republican tariff has been doing to the cotton farmer for many years. The gentleman from Iowa [Mr. HAUGEN] and the western and northwestern Republican Members have been voting all the years to put those tariff burdens on the cotton farmers and on themselves and their farmers.

They now ask us to increase the burdens of the cotton farmers, to give something to them. Since the days of the War between the States, when you imposed upon us the burdens of the protective tariff, the story of cotton has been a story of hardship and of struggle and of privation and of want, because we have been carrying upon our backs this load that the tariff imposes, and we have been forced to sell our products not in a protected market but in the free markets of the world. [Applause.]

My friends, if you are going to give relief, if you are going to open up the doors of the Treasury to the wheat farmers and the corn farmers, by what logic shall you close its doors to the cotton farmers? Why should you say to them that all we shall do in your case is to aid in orderly marketing, whereas in the case of corn and of wheat we will open up the Treasury doors to the gentleman from South Dakota [Mr. WILLIAMSON] and his wheat farmers and let the people from the cotton States stand out and receive some beautiful lectures on orderly marketing. [Applause.]

Mr. BURTNESS. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from North Dakota.

Mr. BURTNESS. Of course, the gentleman understands the theory now is that the State of North Dakota and the Northern States will get none of the money out of the Treasury, but that it will be the cotton people who may possibly get $75,000,000 out of the Treasury, if the proposed amendment is adopted?

Mr. CONNALLY of Texas. I am talking about the bill as it stands; I am talking about what is in the bill; I am not talking about what the gentleman and his conferees have agreed on somewhere behind closed doors during the night and propose to offer as a bid for votes from the South. I am talking about what is written in this bill as it was reported and as it now stands before the House.

Mr. BURTNESS. Of course, the gentleman knows that these amendments have been printed and have been available to the membership of the House for several days and I know the industrious gentleman from Texas has read the amendments.

Mr. CONNALLY of Texas. Certainly I have read them, but I did not form them; I was not in the confidence of the gentleman from North Dakota and the gentleman from Iowa.

I want to refer now to what the gentleman from South Dakota [Mr. WILLIAMSON] said the other day, as found on page 8860 of the RECORD, in regard to the use of the equalization fund:

> I do not believe the board is going to use any part of it on corn, and they will use no part of it on cotton, and I doubt that much will be used upon livestock and swine.

In other words, the gentleman from South Dakota expects the board to use the funds to raise the price of wheat in South Dakota. He does not expect the funds to be used for cotton or cattle or corn. The gentleman from Iowa [Mr. HAUGEN] expects it to be used to raise the price of Iowa corn. Neither expects it to raise the price of cotton. On page 11 of Mr. HAUGEN'S bill it is provided the board shall in the case of cotton assist in orderly marketing but in other basic commodities "in maintaining domestic prices which yield the maximum benefits of the tariff thereon."

Mr. Chairman, the western and northwestern corn and wheat sections drafted the Haugen bill. They admit that the distress of the farmer is caused by the protective tariff on manufactured articles which the farmer must buy. They admit that the protective tariff on agricultural products is ineffective. There is no tariff on cotton and if there were it would be of no avail, since we export 60 per cent of all cotton produced in the United States. While admitting that the tariff has brought distress to all the farmers these gentlemen propose to artificially raise the price of their wheat and corn out of the Treasury and put the cotton farmer in a worse condition than before.

EQUALIZATION FEE OR FEDERAL TAX ON COTTON

The Haugen bill provides that after two years a so-called equalization fee, which is in fact a Federal tax, shall during an operative period be levied upon every bale of cotton when sold or ginned. The fee is to go into an equalization fund with which the Federal board may make agreements with cooperative associations with relation to the orderly marketing of cotton. This equalization fee or tax is to be paid by every cotton farmer, whether he belongs to a cooperative association or not. It is a compulsory tax on every bale of cotton ginned or sold. The bill as it now stands empowers the Federal farm board to fix the equalization fee or tax at any amount it may desire. Estimates of the fee on cotton varies from $5 to $15 per bale, but there is no limit to the power of the board. In the hope of securing votes from the cotton States an amendment will later be offered limiting the fee to $2 per bale. But if the bill becomes a law Congress can at any time in the future remove that limitation and give the board unlimited power to fix it or Congress can itself increase the fee. It has been charged that Members from the West in an endeavor to get votes had expressed a willingness at the next session of Congress in December to put an equalization fee of $15 on every bale of cotton.

FEDERAL FARM BOARD

The Haugen bill establishes a Federal farm board of 12 members, only 3 of whom can be appointed from cotton States. This board will have control of administering the law. One clause of the bill provides:

> Advances made by the board shall be payable on demand, whenever and to such extent as the board deems advisable, if the board finds that the market price in the principal markets of the United States for the basic agricultural commodity, or its food products, in respect of which the advance was made, is in excess of a fair and reasonable price.

Under that clause whenever the Federal board of 12 members, 9 of whom are from cotton-consuming sections, and only 3 are from cotton States, should think the price of cotton too high, loans could instantly be called and the price of cotton reduced.

The mere announcement that the board thought cotton too high would break the market. New England and the North are interested in getting cotton at a cheap price. I remember that during the war and shortly thereafter, when cotton was selling at 35 to 40 cents a pound, efforts were made in Congress and out of Congress to put cotton under Government control and to fix its price at 15 cents to 20 cents per pound. It was through the watchfulness of southern Members that it was prevented. The power to arbitrarily call cotton loans should not be placed in a Federal board that would be dominated by interests hostile to cotton. I do not believe that the cotton farmers who remember the disaster to cotton prices through called loans want to put their cotton at the mercy of such a Federal board.

CATTLE

Cattle were placed in the Haugen bill over the protest of Texas cattlemen. During an "operative period" every cow or steer sold to a local butcher for slaughter would be required to pay a Federal tax, called an equalization fee. Cattle sold to the packers would pay an equalization fee or tax, which the board can fix without limit. I do not believe the people of my State want the Government to tax every cow sold for slaughter upon the plea of doing something for agriculture.

COTTON FARMERS BUY FLOUR AND CORN

The cotton farmers of the South consume more wheat and corn than they produce. Texas consumes more wheat and corn than it produces. If the price of wheat is artificially increased 42 cents a bushel and corn 15 cents a bushel, plus freight, the cotton farmer will have to pay that much more for the corn and flour that he buys, while he will get no corresponding raise in the price of his cotton. The surplus wheat and corn purchased under the direction of the Federal board would be sold abroad at a cheaper price and the loss paid out of the Treasury and the equalization fund. Under the Haugen bill the cotton farmers would pay higher prices for corn and wheat, while wheat and corn would be exported and sold at cheaper prices. That would be fine for the northwestern wheat farmer and the Iowa corn farmer but a little hard on the cotton farmer.

PERPETUATE TARIFF BURDENS

The Haugen bill is not designed to equalize the cotton farmer with the industries of the East, but to fasten upon him forever that inequality by tying up the farmers of the West and Middle West to the protective tariff and making them interested in maintaining forever the protective tariff that robs agriculture for the benefit of specially protected industries. While they admit that the tariff is responsible for the condition of the wheat, corn, and cotton farmers alike, if they can artificially raise the price of wheat and corn they will want to perpetuate that policy though the cotton farmer would continue to be oppressed by the tariff without any relief by this bill. In addition to the discrimination under which he is now suffering the southern farmer would have an added burden by reason

of the terms of the Haugen bill. This bill was originally drawn by the Corn Belt. It is a corn and wheat bill. Only 5 per cent of all the corn produced in the United States would pay an equalization fee under the bill, whereas every bale of cotton that is sold would pay such a fee during an operative period.

Mr. Chairman, I represent an agricultural district. I am directly and financially interested in farming. I own a cotton farm myself. Every proper inducement and motive prompts me to favor any sound and helpful measure in behalf of agriculture. But, Mr. Chairman, I do not believe the Haugen bill is such a measure. I do not believe the cotton farmers want their cotton even indirectly controlled by a Federal board sitting in Washington and dominated by nine members from other sections of the United States. I do not believe the cotton farmers want to empower a Federal board to fix and levy a direct Federal tax on every bale of cotton at the gin, though it may be called an equalization fee. I do not believe the cotton farmers want to pay more for the corn and flour which they buy, while getting no increase in the price of their cotton.

I do not believe they want to approve the robbery of the Fordney-McCumber Tariff Act that has brought them distress and misery and make it to the interest of corn and wheat farmers to perpetuate that oppressive and outrageous measure. I do not believe a Treasury subsidy for wheat and corn is a sound solution of the farm problem. Mr. Chairman, the Haugen bill is unsound, unfair, and discriminates against the farmers whom I represent. It is undemocratic and violates Democratic principles. If Republican Members who represent wheat and corn will join with the Democrats, we can repeal the Fordney-McCumber Tariff Act and help every farmer in America. I voted and spoke against that bill and begged western Members to oppose it. If they will join with us, we can reduce the extortionate freight rates of the Esch-Cummins railroad bill and help every farmer in America. I voted and spoke against that bill and urged you not to pass it. These bills are the cause of your distress, but you will not repeal them.

Now, in conclusion, gentlemen, what do you do? You promise in this section to which my amendment is offered that the board shall maintain prices so as to give the maximum benefits of the tariff to agricultural products except cotton. That is an admission that the tariff on agricultural products does not benefit the farmer. But when you passed the high tariff bill you told the farmer that he was going to get some benefit out of it. You told him that so that he would be willing for you to put a high tariff on manufactured goods. And now when the western and northwestern farmers have found out that it could not give them any protection you come in with another artificial jack and try to hoist up the other side of the economic machine so as to make the wheat and corn farmer think he is getting something out of the tariff. The gentleman from Iowa [Mr. HAUGEN] comes in here and says, "Oh, gentlemen, unless we pass this bill to give the farmers the benefit of the tariff, let us tear the tariff down."

Mr. HAUGEN. No.

Mr. CONNALLY of Texas. I notice that the gentleman from Iowa shakes his head, but he said something like that.

Mr. HAUGEN. No; I did not say that.

Mr. CONNALLY of Texas. What did the gentleman say?

Mr. HAUGEN. I said that would probably be the next move. [Laughter and applause.]

Mr. CONNALLY of Texas. All right; that is better.

Mr. HAUGEN. But not on my part; not at all. However, we shall have to face the music in some way.

Mr. CONNALLY of Texas. The gentleman from Iowa [Mr. HAUGEN], the author of the Haugen bill, says that unless we pass this bill to give the farmers the benefit of the tariff that probably the next move will be to tear down the tariff. And then he hastens to add that he will never vote to do that. In other words, if the farmers out in Iowa wake up and find out that the gentleman from Iowa has been fooling them all the time and he fails now to give them anything out of the tariff the next move of those farmers may be to move the gentleman from Iowa out of his seat and tear down the tariff that is robbing them and for which the gentleman has been voting. But the gentleman from Iowa says he will never do it. No; he will never do it; he will never vote to take the tariff off the backs of the farmers, but he wants to vote for a bill which will put an additional burden on somebody else in order to make the farmer believe that he is getting a benefit out of the tariff. He is more concerned in keeping the tariff on the farmers than he is in the farmer.

The gentleman from Iowa and others of his kind remind me of the poor drug addict. You know, they have been eating this tariff doctrine which has been handed out to them by the manufacturers so long that they have become habituated to its toxic effect, they become slaves to the mischievous mastery of the drug. They admit that the drug is destroying soul and body, but refuse to give it up. They admit that the tariff is ruining the farmers but they have been voting for it so long and have been fooling their people so long that, though, like the drug addict, they would love to break away from its influence, and they struggle with it, when they see a little bit of it in sight they can not resist it and they succumb to its baleful and destructive embrace. [Applause.]

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

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Why, gentlemen, you have seen one of those old fellows in the olden days when there were open saloons who loved liquor not wisely but too well. His family would say to him, "Oh, father, you are ruining us." His wife would say to him, "Oh, dear husband, you are bringing your children and your family down not only to poverty but to shame," and he would promise faithfully, as he started down town in the morning, "Oh, yes, dear wife; I will never touch another drop." Then he would walk down the street with a firm step, but as he neared the place where liquor was sold his knees would begin to get weak and then to get wobbly, his good intentions and promises would begin to fade, and just about the time he reached the door he would begin to cough with a cold that he had caught on the way down town, and it was necessary to go in and do something for his cold. [Laughter.]

The gentleman from Iowa [Mr. HAUGEN] and these other tariff addicts, are confessing to the farmers out in Iowa, they are confessing to the farmers out in Idaho, and they are confessing to the farmers in the rest of the West, that "We have been fooling you. We have been fooling you, but we are going to fool you again, now, by artificially jacking up your prices and making you think that we told you the truth originally." Instead of courageously striking down the author of their ruin, the high tariff, they insist on taking another dose of the drug.

Mr. HAUGEN. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. HAUGEN. I will tell the gentleman to what extent the Republican tariff has fooled the farmers. It gives them to-day——

Mr. CONNALLY of Texas. I can not yield to the gentleman for a speech.

Mr. HAUGEN. It gives them 17 cents a bushel on wheat right now.

Mr. CONNALLY of Texas. The gentleman claims that wheat, because of the tariff, has an advantage of 17 cents a bushel, while cotton must be sold in foreign markets at foreign prices.

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

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. I am surprised at the gentleman from Iowa. He says the farmer is now receiving 17 cents a bushel—while in his report he says the "tariff, to a very large extent, is inoperative."

Mr. HAUGEN. And we propose to give him 43 cents.

Mr. CONNALLY of Texas. And he is receiving now 17 cents.

Mr. HAUGEN. Yes; and we propose to give him 43 cents.

Mr. CONNALLY of Texas. At present hard wheat alone gets any benefit from the tariff, because we consume more hard wheat than we produce. The ordinary soft wheat, of which we produce a surplus above consumption, gets no benefit from the tariff. However, the statement of the gentleman from Iowa [Mr. HAUGEN] is clear as to what he is trying to do by this bill, and that is to raise the price of wheat 43 cents a bushel and corn 15 cents a bushel, while no raise is given to cotton. He wants men from cotton States to help him do that. He is willing to do that by going into the Treasury and by increasing the burdens of other farmers.

Gentlemen, my amendment provides that the same measure of treatment shall be accorded to cotton that this bill accords to wheat and corn. Where is the man who says that is not fair? The amendment provides that the board shall undertake to assist producers in maintaining the domestic price of cotton at a price level which shall bear the same ratio of in-

crease in price as the average increase in price of other basic agricultural products under this bill. Where is the man who will say that is not fair or that is not right? If you defeat my amendment you will show the real purpose of this bill. If you are going to artificially raise the price of wheat and corn, why not artificially raise the price of cotton? Why say, "We will buy corn and we will buy wheat and we will furnish the money to do it out of the Treasury, but when it comes to cotton, we will merely take off our hats and say, 'Good morning, Mr. King Cotton, we wish you well and hope you may succeed.'"

Now, that is all there is to it, and I submit my amendment for the consideration of the committee. [Applause.]

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee, we have just listened to a very eloquent and entertaining address by the gentleman from Texas [Mr. CONNALLY] upon the way he believes this bill will operate, and I thought possibly the members of the committee would enjoy having a presentation of how at least one feature of it will work under the amendment that is proposed in the latest revision of the bill that we have.

If you will follow me, I will endeavor to make this chart plain, because I think it illustrates better than any words I could use the point I have in my mind. The suggestion for this little piece of work came from the remarks made by the distinguished gentleman from Mississippi [Mr. QUIN] the other day. In the course of that very eloquent address he said:

> This bill is going to do good, and I know it. You can not fool me on what will help the farmer. I can smell it just as a good coon dog can smell a coon.

[Laughter.]

I thought possibly the members of the committee would appreciate just exactly how acute the sense of smell of the gentleman from Mississippi is when it comes to anything that will be of advantage to the particular section of the country from which he comes, and with that idea in mind I want to direct your attention to the figures in the table which follows:

	1925 cotton crop in bales	Per cent	Division of subsidy	Fee, $2 per bale
Alabama	1,335,000	0.0855	$6,412,500	$2,670,000
Arizona	94,000	.0060	450,000	188,000
Arkansas	1,530,000	.0980	7,350,000	3,060,000
California	126,000	.0080	600,000	252,000
Florida	40,000	.0025	187,500	80,000
Georgia	1,150,000	.0737	5,527,500	2,300,000
Louisiana	900,000	.0576	4,320,000	1,800,000
Mississippi	1,930,000	.1236	9,270,000	3,860,000
Missouri	260,000	.0166	1,215,000	520,000
New Mexico	61,000	.0040	300,000	122,000
North Carolina	1,090,000	.0699	5,242,500	2,180,000
Oklahoma	1,550,000	.0993	7,447,500	3,100,000
South Carolina	875,000	.0560	4,200,000	1,750,000
Tennessee	490,000	.0314	2,355,000	980,000
Texas	4,100,000	.2620	13,650,000	8,100,000
Virginia	50,000	.0032	240,000	100,000
All others	22,000	.0014	105,000	44,000
Total	15,553,000	.9987	74,902,500	31,106,000

In the left-hand column I have the cotton production for the year 1925. In the second column I have that production expressed in terms of percentage of each of the States. In the third column I have the thing in which I know my distinguished friend from Mississippi was very vitally interested, namely, the portion of the subsidy that his particular State was to receive. The distinguished gentleman from Texas [Mr. CONNALLY] has just told us there is considerable question as to whether it will come or not, but if it does come, I want to show you in what form it will come, and if it does not come, I want to show you what a fond hope you have cherished for a little time. Here are the various States, and I call your attention to the division of the subsidy. For instance, the State of Mississippi, from which our distinguished friend comes, shares the very neat little sum of $9,270,000, and so on through the list. The first State in the Union in cotton production, the State of Texas, receives $13,650,000, and Oklahoma, the third State in production, $7,747,500, a total sum of approximately $75,000,000.

Mr. PURNELL. Will the gentleman yield?

Mr. KETCHAM. I am sorry I have not sufficient time to yield.

Mr. PURNELL. I will ask unanimous consent that the gentleman may have five minutes more.

Mr. KETCHAM. All right; at this particular point?

Mr. PURNELL. At any point.

Mr. KETCHAM. Does the gentleman want to ask a question on this particular point?

Mr. PURNELL. Yes. As a matter of information, I want to find out how the gentleman arrived at his conclusion that Mississippi or any State will be given a specific sum of money?

Mr. KETCHAM. It is upon the basis of their cotton production and assumes that the $75,000,000 will all be divided.

Mr. DICKINSON of Iowa. And all lost?

Mr. KETCHAM. Not that it will all be lost, but that it will be divided.

Mr. PURNELL. Is it the gentleman's understanding that the $75,000,000 will be divided among the cotton States?

Mr. KETCHAM. At least $75,000,000. That is the basis upon which the table is prepared, and if the gentleman does not think the whole $75,000,000 will be divided he can make his own assumption. Whatever he thinks will be divided will be upon the basis of the comparative yield, as I have indicated.

Mr. PURNELL. I think the gentleman ought to state where in the bill there is any such provision. This is a serious accusation—seventy-five millions to be apportioned among the cotton States. The gentleman knows that the $75,000,000 is only to cover such losses as may occur, if any. [Applause.]

Mr. KETCHAM. I am assuming that the losses will be $75,000,000, because I believe with a board that is favorably inclined they would be able to figure out that amount. It would be a mighty poor board if it did not do it.

Mr. HAUGEN. Will the gentleman yield?

Mr. KETCHAM. I am sorry, I can not yield now. If I have any time after I present this matter, I will be glad to yield to the gentleman. I do not state for a certainty whether $75,000,000 will be divided under the terms of this bill, but if it is divided this, of course, will be the basis.

It may be that there is some difference of opinion as to the amount, but now I come to something that there is no speculation about because it is written in the language of the bill.

The cotton crop of Mississippi was 1,930,000 bales in 1925, or 12.36 per cent of the total United States cotton crop. Mississippi, therefore, on this basis would receive $9,270,000 of the total of $75,000,000.

Mr. QUIN's district would receive 7.1 per cent of $9,270,000, or $658,170, but in two years after the equalization fee is established instead of receiving this splendid sum Mr. QUIN, cotton farmer, would pay $2 a bale on 136,542 bales, or $273,084.

For two years Mr. QUIN's coon dog comparison would be fine, but when his farmers would be called upon to pay $273,084 I imagine that the gentleman from Mississippi would go up and down his district singing Champ Clark's plaintive lay, "You got to quit kicking my dog around."

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

Mr. PURNELL. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 5 minutes.

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

There was no objection.

Mr. PURNELL. Will the gentleman yield for a question?

Mr. KETCHAM. I will be glad to.

Mr. PURNELL. If my statement is correct, that the $75,000,000 to which the gentleman has referred is only to stand for such losses as may occur, that it is not to be divided among the several States in proportion to the crop raised, then the argument that he has made fails. Is not that so?

Mr. KETCHAM. I would say not; if the gentleman reaches that sort of conclusion he is in a very comfortable state of mind.

Now, I want to talk to this side of the aisle one minute. I call attention to the fact that in this bill there is an estimate of $75,000,000. Where does the money come from? From the United States Treasury. What per cent of that is paid by the States that will be the principal beneficiaries of it? Less than 5 per cent. Ninety-five per cent of it, according to the figures of the internal revenue department will be paid by those who are not beneficiaries. All we have got to do is to dig down into our pockets and furnish the $75,000,000 in order to keep up the high price of cotton and in order to boost the price of cotton and then pay a higher price for our cotton goods. We get it going and coming back, we get a double-barreled shot. Here are the figures:

Parts of the $75,000,000 paid by six leading cotton States

Alabama	$352,500
Arkansas	202,500
Georgia	540,000
Mississippi	225,000
North Carolina	422,000
Texas	1,230,000
Total	2,972,000

Parts of $75,000,000 paid by six leading taxpaying States

New York	$21,150,000
Pennsylvania	8,055,000
Illinois	6,780,000
Michigan	4,305,000
Massachusetts	4,237,500
Ohio	4,065,000
Total	48,592,500

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

Mr. KETCHAM. If the gentleman will be seated a moment, let me reply first to one gentleman at a time. Will the gentleman from Indiana do me the courtesy of listening?

Mr. PURNELL. Yes. Of course, the gentleman understands that the $75,000,000 is to cover a period of two years.

Mr. KETCHAM. Whatever the period is, and whatever may be the proportion that my friend from Indiana thinks will come out of this particular fund, let him take it and assess it over those States in this proportion, and let him modify his figures as he will, but my own judgment is that there will not be very much left of the $75,000,000. I yield now to the gentleman from Kentucky.

Mr. KINCHELOE. The gentleman spoke of $75,000,000. Of course, the purpose of giving that to the cotton growers is because the cotton farmer is so ignorant that he is not educated up to the equalization fee, and they are going to give it to him in homeopathic doses at first, at the rate of about $2 a bale, but when the 9 members out of 12 of this board come back and ask Congress to raise that to $15 a bale, does not the gentleman think the cotton growers by that time will be quite educated up to the equalization fee?

Mr. KETCHAM. Oh, I think they will be educated in that very quickly.

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

Mr. KETCHAM. Just a moment, if you please. I want gentlemen on this side of the aisle to listen for a moment more. I have picked out from the report of the Internal Revenue Commissioner the proportion in which the $75,000,000 in direct subsidy, or whatever your conscience will allow you to call it, will be paid. This is the way the figures will run. New York will pay $21,150,000; Pennsylvania, $8,035,000; Illinois, $6,780,000; Michigan, $4,305,000; Massachusetts, $4,237,500; and Ohio, $4,065,000. Now, let us take the six greatest cotton-producing States, and this is the contribution that they will make: Alabama, $352,000; Arkansas, $202,000; Georgia, $540,000; Mississippi, $225,000; Oklahoma, $402,000; Texas, $1,230,000, or a total of $2,972,000, or a trifle over half of what Ohio, the lowest State in the other list, will pay of itself. I do not wish to create any sectionalism in this argument. [Cries of "Oh, no!" "Oh, no!"] Just a moment, please.

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

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

Mr. KETCHAM. Just one moment. Will the gentlemen be seated, please? I would be very glad to take corn; I would be very glad to take any other crop, if the figures were in the bill, to demonstrate exactly what would happen.

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

Mr. KETCHAM. The equalization fee does not appear in the bill in connection with any other crop, and should it appear I think a demonstration could be made that would stir other sections up considerably as to the operations of this bill, and I submit I would be very glad to do it if the figures were available. That is the reason why I make the statement that there is no intention to be sectional in the matter.

Here is the situation in a nutshell. To-day, under the terms of this bill, there may be some uncertainty as to how the equalization fee is to work, but the subsidy feature of this bill is absolutely certain and indefensible in my opinion and must come out of the bill. If the equalization fee is a valid principle on which to ground this legislation, let us write it into the bill on all products from the start and not delude ourselves with the notion that these splendid farmers of the South are a poor and ignorant lot and need two years of education. They know now—and all too well, in my opinion.

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

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

Mr. HASTINGS. Mr. Chairman, I object.

Mr. DICKINSON of Iowa. Mr. Chairman, I move to strike out the last word. I say that no more unfair statement has been made on the floor of this House than that which has just been concluded by the gentleman from Michigan [Mr. KETCHAM]. [Applause.] In the first place, in three references he said that if this board did not squander $75,000,000 it was not a very good board, and this board is nominated by the council selected by the farm organizations of this country who have nominated the members of the board who are selected by the President. I say to the gentleman from Michigan that among those farm organizations that will select that council some of them may be members of the grange; and although the grange has been a meal ticket for the gentleman from Michigan for so many years, yet he comes in here and indicts them and says they are not honest. [Applause.]

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

Mr. DICKINSON of Iowa. I do not yield. The gentleman has made his indictment here of this whole plan, and now I want to make a defense of it.

Mr. KETCHAM. Will the gentleman say what the position of the grange is in respect to this bill?

Mr. DICKINSON of Iowa. The grange of the gentleman's State is for it; and I put a statement in this morning's RECORD from your organization, and it says that they are in favor of the Haugen bill.

Mr. KETCHAM. The master of the State grange—the very high-grade gentleman, a very able man——

Mr. DICKINSON of Iowa. And yet the gentleman is here indicting him and saying that his organization in Michigan is not honest enough to help select some members of this council that can come in here and select an honest board that will carry out the provisions of this bill. Second, what is the proposition here?

Secretary Jardine, before the Committee on Agriculture, on page 20 in the original document, made this statement:

> They have also to take care of any losses they might sustain; but there is no reason why there should be any losses in cotton.

No reason why there should be any loss in cotton! I can quote Secretary Jardine in several places, wherein he says that if this board handles the business of these organizations properly there will be absolutely no losses in their operation.

Mr. ASWELL. Will the gentleman yield?

Mr. DICKINSON of Iowa. I will.

Mr. ASWELL. At that time Secretary Jardine was speaking for the Tincher bill, not for this one.

I asked the Secretary the direct question, "Mr. Secretary, do you believe we would have to buy from about a quarter of a million bales of cotton and put it away," and he said that he agreed absolutely.

Mr. KINCHELOE. He was talking about the Tincher bill.

Mr. DICKINSON of Iowa. Secretary Jardine made this statement:

> Mr. ASWELL. How will this help cotton?
>
> Secretary JARDINE. The same way. These cotton boys all came down and told me it would work fine for cotton.

Now you have an example of this indorsement of Secretary Jardine, and yet the gentleman from Michigan comes in and says we had just as well charge off $75,000,000 for the first year's operation, and he comes in here and is unfair enough to say that the operation of this board will mean a total loss of $75,000,000 the first year.

Mr. KINCHELOE. Will the gentleman yield?

Mr. DICKINSON of Iowa. I will.

Mr. KINCHELOE. The gentleman wants to be fair. I was present and heard the Secretary make the statement, and he was applying that to the loan provided for in the Tincher bill and unequivocally against the gentleman's bill and the Haugen bill.

Mr. DICKINSON of Iowa. There was absolutely no reason why the board under this bill should not be just as cautious in making advancement for cotton as in loans under the provisions of the Tincher bill. You can not make the discrimination and get away with it for there is every reason to believe that this board will be just as conscientious in their work as Congressmen drawing a salary for services.

Mr. KINCHELOE. Does the gentleman undertake to put Secretary Jardine in the attitude of favoring the equalization fee?

Mr. DICKINSON of Iowa. I have not been talking about the equalization fee, and the gentleman knows it.

Mr. KINCHELOE. Secretary Jardine is against it——

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

Mr. TINCHER. Now, Mr. Chairman and gentlemen of the committee, let us see if we can be fair. I do not care how

much Mr. KETCHAM works for the grange. I do not care what you do or what you say, while I am here I will be fair, and if your try to jeer because you do not agree with Mr. KETCHAM, or me, or anyone else you are not fair, and that is all. The gentleman from Michigan [Mr. KETCHAM] has been a member of the grange, he says, and worked for the grange. He still supports the principles of the grange, and that is that they are constitutionally and fundamentally opposed to asking for subsidies out of the Federal Treasury. [Applause.] Let me say to some of the new members of the grange who have joined, some for political reasons because you came to Washington, if you are supporting a subsidy out of the Federal Treasury for agriculture, then your duty as men is to go to the grange and tender your resignation. When you support a subsidy then you should not try to belong to the grange.

Mr. SUMMERS of Washington rose.

Mr. TINCHER. No; I do not yield. I decline to yield. Now, in reference to what Secretary Jardine said. I tried to get along with my friend DICKINSON. Secretary Jardine testified in favor of the bill proposing to loan money to cooperatives so that they could make more advances. He frankly stated in testifying that he was in favor of making very liberal loans to them, but probably there would be losses on wheat, but he thought the losses would not be severe when made on cotton. That is true, and when you try to twist that testimony into indorsement of a bill that does not say a word about a loan——

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. TINCHER. No; not now. When you do that, I claim you are not treating the Secretary right. I refer it to any member of the committee that heard his testimony, because in that same testimony that the gentleman is quoting here he said he considered the tax—the equalization tax—the most indefensible, unsound, and unfortunate thing that could ever happen to agriculture; and if you are quoting from the hearings that Secretary Jardine tells us that none of the $75,000,000 will be lost you are doing him an injustice, whether intentional or otherwise, because he does think it will be lost; and I will tell you why.

Your bill now provides, with the new amendment in, that if there is any of it left it does not go back to the Treasury. It goes into a fund to be kept; and when you hold out to the membership of this House, if the amendment is printed correctly, that anyone intends for one penny of it to go back to the Treasury it is a false and unfair representation to make to the House.

I say, let us deal in facts; and we can get along without any jeering by Members of Congress who want to talk. Some of us can get along just as well if they do not get excited and get up here and yell when they talk.

Secretary Jardine never contemplated a bill to take money out of the Treasury in lieu of this so-called equalization fee. In fact, gentlemen, we ought to recess for two months before we finish the consideration of this bill, because men are losing their morale in the consideration of this bill. You would not believe it if I gave you the man's name; but let me tell you Democrats what happened. They tried to take the tariff out this morning in a little fight here. If you took the tariff out, there was nothing left. A fellow made to me a proposition to-day. He said: "If you will help to pass the bill by laying off in your fight now, we will vote to repeal it next year and put a tax on cotton." [Applause.] If that man denies it, I will give his name on the floor. [Applause.]

Mr. MCKEOWN. Mr. Chairman, the gentleman from Michigan [Mr. KETCHAM] has been fully answered, so I will take no time to answer him. The gentleman from Iowa [Mr. DICKINSON] has done the job well. [Applause.]

I want to talk to you men who, like myself, are deeply interested in the cotton industry, anxious to help the part of the country that produces cotton. I want to talk to you from a practical standpoint. My mother, unfortunately, on account of her condition after the Civil War, had to carry me out to the cotton field and set me on a little pallet while she helped gather cotton. The people in this world who get the least out of cotton are the people who pick it with their fingers or spin it in the mills. Everybody else that touches cotton gets some money out of it but the man who produces it or picks it or spins it in the mill. He is the man who gets the least out of it.

Men come here and talk to you about a subsidy. Why, gentlemen, there are on the statute books to-day statutes authorizing a subsidy to particular industries, and yet you hear nothing about those subsidies. What are you going to do to-day on this question of relief offered here for the benefit of the Southern cotton farmer? In all candor and fairness, what bill have you introduced or championed? The man who stands out foremost among the Southern Representatives who has offered a remedy is the distinguished gentleman from Louisiana [Mr. ASWELL]. But, gentlemen, we come here with a bill offering you relief now; not to-morrow, not next year, but to-day. The catastrophes that have overtaken the farmers of this country have reduced them to a situation where they can not exercise the judgment that you exercise here.

Men tell me here, "We are interested in the farmers who do not belong to any associations. We wonder how they are going to be taken care of." Let me tell you something, my friends. The farmer that is not organized and not in any association may not do much for you in the election. He may stay at home and not vote; but I will tell you what he will do. He will do "a plenty" to you if he becomes aroused because you do not do something for him. He is going to follow these organization men. What right have you, in all candor, to use your private judgment against the judgment of men who have been following the cotton business for 50 years? What proposition has ever been offered to the South in the last 50 years to have its chief product cared for?

You say you are afraid to do something for fear it will affect the price adversely. Is it a sacred article that can protect itself? Look at the unpainted houses in your country, and look at the desolated farms, and tell me if cotton is a product that can take care of itself. In all candor and in all good humor, no matter how heated this debate may become, there are no personalities in it, and it does not change my admiration for any man who differs with me; but I want to ask you this question: What are you going to do when this first opportunity is offered to you?

A combination of circumstances has arisen here which offers you an opportunity to help your people. Why do you falter? Do you think those who oppose any farm relief legislation will sometime help your people?

Where were they in 1914? Do you think the gamblers and speculators in cotton will temper the winds to your cotton farmers? There are many generous advocates representing interests who are like Bill Nye's generous man, who divided his apple and kept his half and ate the other. [Applause.]

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

Mr. WINGO and Mr. SUMMERS of Washington rose.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] is recognized.

Mr. WINGO. Mr. Chairman, I want to get back to the pending amendment offered by the gentleman from Texas. I do not care to make any argument. I want to try to see what the facts are.

Now the amendment of the gentleman from Texas proposes that in fixing a fair and reasonable price on cotton you shall bring about this result; in other words, that you shall fix it on this basis, that you will give it the same increase in proportion that you give to these other commodities where you have the tariff and transportation charges added on. Of course, you can not do that—we are all agreed about it—on cotton, because there is no tariff.

Now, what is the necessity for this amendment? And I beg members of the committee on both sides of the aisle who are supporting the Haugen bill to listen to the facts to which I am going to direct your attention, and I think if you will recognize the facts you yourselves will agree that the amendment now pending is nothing but fair and is in keeping with the spirit of your bill.

I think we all appreciated the other day the speech made by the gentleman from New York [Mr. JACOBSTEIN] when he showed you his charts. I am very familiar with those charts because we use them very frequently before the Committee on Banking and Currency. What did those charts show? One of them showed a line which represented the price level of nonagricultural commodities for the last five or six years; then below that was another line that represented the average price of agricultural commodities for the same period of time.

Now, he told you the amounts that different crops, such as corn and wheat, have lost during that period of time by reason of the fact that they were depressed, that they were depressed below the level of nonagricultural commodities. You will remember he told you about the amount lost on wheat, corn, hogs, and other things totaling, I believe, something like $13,000,000,000. Some one asked him about cotton, and his reply is found on page 8854 of the RECORD:

From 1919 to the middle of 1925, according to the figures, the cotton producers appear to have gained $380,000,000.

The RECORD shows laughter. I am not complaining because some gentlemen may have seen the humorous side, but to the cotton growers it is a tragedy. I wish to direct your attention to facts from which, I am sure, you will recognize how that chart was gotten up. I know what the basis was, because I have cross-examined a half dozen experts, including Federal reserve officials, about it. What do they do on cotton? They take the basic price. What is the basic price? The price on middling cotton, the ideal grade. Well, gentlemen, here is the fact, and if there is any man on this floor who dares challenge me on it I will produce you the figures. Of the 16,000,000 bales of cotton produced this last crop year, 65 per cent of it was below the basic grade. Now, gentlemen, during these last five or six years the line measuring the price of cotton was measured by the ideal price, and the ideal price on that ideal grade of cotton over that period of time was, on the average, 19 cents plus, but the cotton farmer did not get the 19 cents plus. On the great bulk of that crop he got, on the average, about 16.3 cents per pound. But whenever your commission comes to fixing what is a reasonable and fair price they are charged with a duty under this bill. Turn to page 12:

No payment of losses shall be made unless the purchase or contract for the purchase is made at a price which in the opinion of the board is not in excess of a fair and reasonable price.

Now, gentlemen, I assume that your board, as business men trying to be fair and reasonable and honestly discharging their duties, will say, "Here is what we have got to equalize." They will take this basic price that has run during this period through these different commodities. You have a fixed preferential that you are going to add on to wheat. It is the tariff, and you know what the tariff is, because it is in the statutes; then plus the transportation, and you know what the transportation amounts to by referring to the rate books. Then they will take the average as shown by the chart and the average will show that the cotton grower got $385,000,000 more than he was entitled to under your plan. That will be the conclusion reached by this board, when, as a matter of fact, he got less. But instead of fixing the fair and reasonable price on cotton at what it was on the average during these five or six years they will say, "We will bring it down so as to take off the $385,000,000 and make it an average." Would not that be what they would do? Then what would happen? You would have in your bill that this board, when they came to fix the price—and they do fix the price when they make these contracts—will say to their agents, "You buy at not exceeding a certain price." Then what would you have? You would have a fixed provision in the bill which would prevent the growers of cotton from receiving under these contracts more than the average price.

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

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. WINGO. That, on the average, would mean that the great majority of that crop would be sold on a basis of not exceeding 16.3 cents per pound. Why, gentlemen, have you thought of what you are doing to the cotton farmer by that? Do you suppose that those of us who know something about finance, those of us who know something about statistics, those of us who know something about the grade and price of cotton and their value—do you think we are so blind as not to see that without the amendment of the gentleman from Texas the guaranty to the cotton farmer under this bill would be that he could never get as much as that which he is now getting, and which in 90 per cent of the cases is actually below the cost of production.

I beg of you to accept the amendment of the gentleman from Texas. It is nothing but fair. It provides that you shall give to the cotton farmer, if your bill is going to work, the increase over the price level that you are seeking to give to wheat, corn, and hogs. Is not that fair? If you want to be fair to cotton, you can not object to that.

Mr. FULMER. Mr. Chairman and gentlemen of the committee, I am mighty sorry to see gentlemen on both sides of the aisle carrying on in a frivolous manner. I am not surprised when I see the enemy on the other side, who represent the administration, doing this or anything else which would kill the bill under consideration.

Mr. WINGO. Mr. Chairman, I rise to a point of order. The gentleman certainly is not accusing me of acting in a frivolous manner?

Mr. FULMER. Mr. Chairman, I do not yield to the gentleman.

Mr. WINGO. I say you do not accuse me of carrying on in a frivolous manner?

Mr. FULMER. I am not speaking about the gentleman. I am speaking of the general procedure here this afternoon.

Mr. WINGO. The gentleman had better not make that charge against me.

Mr. FULMER. I want to remind you, gentlemen, that this is a serious proposition. I want to say to you to-day that there are millions of people in the cotton fields of the South laboring from early morning until late at night, and they have not any idea in the world what they can expect to produce, neither do they know what they are going to receive next fall in the way of prices.

I want to say furthermore, gentlemen, while we are here carrying on in a manner that seems to me like killing time instead of trying to do something to relieve agriculture and help our people in the South, my friends, you have something offered to you now that you have not had in the last 50 years. I want to say that on top of all this, while you are acting in this way, the price of cotton is gradually going down. In the last few days the price has decreased one-half a cent more, and why? Because producers are unorganized and unable to take care of the surplus, which we could do under the bill. When the Department of Agriculture reported in the fall of 1925 a cotton crop of 14,000,000 bales, cotton was selling at 24 cents. As soon as the report came out 16,000,000 bales, it began to go down and has been gradually doing so ever since. What are you going to say when you go back home if you kill this bill and cotton continues to go down?

I am surprised at the amendments some gentlemen have offered here this afternoon. How do you propose to put up the price of cotton? Why, any man knowing anything about cotton would know that if we had not made over 14,000,000 bales of cotton in 1925 the price of cotton no doubt would have gone to 30 cents a pound, and we have men right here within the sound of my voice who, because of that report, held their cotton expecting 30 cents, and yet you quibble and kill time and doubtless will try to kill the bill.

In this 16,000,000 bales of cotton, my friends, we have about 2,000,000 bales of untenderable cotton, what we call dogtails and bollies, which can not be tendered on contracts and is not spinnable, and yet the speculator to-day can take that 2,000,000 bales of cotton and depress the price just as if it were really middling cotton.

Now, what do we now propose to do under the Haugen bill? After the machinery has been organized we go into the market with $75,000,000, and if the price is too low we gradually go to buying the cotton. The Secretary of Agriculture says in his statement he did not believe we would have to buy over 250,000 bales of cotton to put up the price at least 2 cents a pound. We could buy cotton continually until the price was at the right figures and then if it should advance to a price so as to tend to retard consumption we could feed the cotton into the market as required.

My friends, a great deal has been said here about the equalization fee. Gentlemen have stood upon the floor of this House and in their speeches have said it would be $10 and $20 and $40 when, as a matter of fact, we propose that the maximum is to be $2; and if you understood the situation as well as I do, you would have an entirely different idea about this fee.

With $75,000,000 I do not know when we will be called upon for an equalization fee. If in the next five years we have the situation that we have had in the past five years, perhaps we would not have to call for a fee. With a short crop, a normal demand, and with the price all right, we would not have to operate, and therefore the board could not put on even the $2 until the producers and the cooperative associations came in and called for the establishment of an operative period.

Mr. CRISP. Will my friend yield?

Mr. FULMER. Yes.

Mr. CRISP. In this debate it has been mentioned several times that the purchase of 250,000 bales of cotton would raise the price 2 cents. Will the gentleman advise the House how many bales to-day are not on the market but in the hands of the cooperatives?

Mr. FULMER. I do not know. They have handled about 2,000,000. They have been selling—have had to—and if prices go much lower the balance will be forced on the market.

Mr. CRISP. And that 2,000,000 bales withdrawn from the market in the hands of the cooperatives are in the same hands as if 250,000 bales were bought under the provisions of this bill, and yet that amount of 2,000,000 bales in the hands of

the cooperatives has not run cotton up 2 cents. If that amount of 2,000,000 bales in the hands of the cooperatives has not run cotton up 2 cents, how will the withdrawing from the market of 250,000 bales do it?

Mr. FULMER. I will say to the gentleman from Georgia that if we did not have in the hands of the cooperative associations to-day that amount of cotton we would not be getting over 14 cents a pound for middling cotton, and the fellow on the outside has been getting the benefit of these. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. FULMER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FULMER. Now, what happened just a few days ago? The exchange in New York only sold 30,000 bales of cotton and put the price down one-half cent. They can go on the market the next day and buy 50,000 bales and put it up a cent a pound. If we had cotton in the control of the producers just as every other industry has control of its products, we could market it in an orderly manner and could feed the market in a fair way and control the price so as to receive cost of production and a reasonable profit.

The mills are interested in this because they are being closed down on account of the unstabilized situation with respect to cotton prices. Mr. Montgomery, of Spartanburg, S. C., made this statement the other day:

> We do not care what the price of cotton is; let it be 10 cents or 40 cents. What we want to know is that when we pay 25 cents for cotton that the speculators can not come in within 30 days and put the price down 3 cents and put my neighbor and competitor in possession of cheaper cotton and put us out of commission when we try to sell our high-priced goods.

I had another millman tell me that if we could pass legislation of this kind which would stabilize prices and maintain prices that would mean reasonable cost of production and a fair profit it would do more to stabilize the cotton manufacturing industry than any other one thing that ever happened. They could run continually where they are now closing down. It would increase consumption and bring about better prices.

My friends, under the gentleman's amendment it would be impossible to attempt to carry out what he has in mind. We do not expect to get 30 cents a pound for a 16,000,000-bale crop of cotton, but if we had made twelve or fourteen million bales in 1925 we would have received 30 cents a pound. The price would be based on the number of bales of cotton produced during the year, so as to be able to feed the cotton into the market in an orderly manner. [Applause.]

Mr. ASWELL. Mr. Chairman and gentlemen, the gentleman from South Carolina says this is the first time the South has ever had this sort of a proposition made to it, and I agree with him. One of the enthusiastic Haugen bill supporters said to me less than an hour ago that the first proposition was to give a so-called subsidy to cotton of $100,000,000 because they thought at that time they would get 100 votes from the South, but on further investigation, after the Haugen bill had failed to stand up under debate, they found that they could not get over 75 votes, and so they decided at a secret night conference to cut it down to $75,000,000. [Laughter.] That is the first proposition of that kind that has been made to the men of character from the South.

Another enthusiastic, honest man and supporter of the Haugen bill said to me: "In these amendments we will put up something you can not and will not dare to turn down." I said, "Why did you fix the equalization fee at $2?" And he said that if it was more he was afraid it would scare us off.

Now, gentlemen, this is the most brazen and absurd proposition made to intelligent and patriotic men of the South in my whole observation. Two dollars a bale would not take enough cotton off the market to increase the price a penny. Two dollars a bale collected on every single bale grown in the United States would be $32,000,000, less the cost of operation and losses of a Federal political board, and it would not be enough to affect the market on cotton in the slightest degree. It would take $400,000,000 to handle the 4,000,000 bales which is now the surplus. Every cotton man knows that fact.

I want to give you the history of this insincere measure. When the bill was brought to the committee about eight weeks ago by the noisy Corn Belt lobby, it was proposed to leave corn off and give corn $100,000,000 subsidy. Then, having found that was such an absurd proposition as written by the corn men alone, they proposed to leave cotton off for three years and put corn in. I made the statement to the chief lobbyist, Murphy, that that was done to buy the cotton men and he did not deny it.

The proposition first was to put the equalization fee or Federal tax on cotton at the gin. It was discussed that it would be about 3 cents a pound. Then they, the salaried lobby, lost their nerve and made it apply, in the second draft of the bill, to the processing of cotton other than at the gin. When we pointed out that 65 per cent of the cotton produced in America is exported and the equalization fee would apply to only 35 per cent, they brought in the last draft to make it apply at the gin on every bale produced.

In debate that scheme could not stand up and they saw that it could not stand an intelligent test. They slipped out by night under the chief manager in charge, Mr. Murphy, the professional lobbyist, a group of a few men—they did not bring it into the committee at all—agreed to reduce the amount of the fee to $2 in order to bid for the cotton men and then they proposed to put it in the amendment again not to be assessed at the gin. Do you need further proof of the insincerity and crookedness of the Haugen scheme to have southern men place their neck in the halter of the lobby?

Gentlemen, I wonder what sort of intellect some men in full control of the Haugen bill believe is found in the South. It is an absurd proposition to undertake openly and brazenly to bid money for the direct votes of southern Members so much per vote. It is very unfortunate that the gentleman from Iowa [Mr. DICKINSON] undertook to show that this $75,000,000 would come back to the Treasury. If it is coming back to the Treasury the Haugen crowd are deceiving us, for we expect to keep it. [Applause.]

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

Mr. ASWELL. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ASWELL. I would like to have the gentlemen look at the bill. On page 16 it says:

> (b) The board, in order promptly to make the advances agreed to be made and to provide for the prompt payment of the losses agreed to be paid and the salaries and expenses of experts, may advance to the equalization fund for any basic agricultural commodity, out of the revolving fund hereinafter established.

They have cut it down to $75,000,000. I said to my friend: "You had better cut it down to $25,000,000, for that is about the number of votes you will get on my side." [Laughter.] The bill states on page 16 that the equalization fee after two years shall not be available for the repayment of any advances to the equalization fee fund made prior to the expiration of two years. It provides specifically that two years later the equalization fee shall not go back into the Treasury.

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

Mr. ASWELL. Yes.

Mr. KETCHAM. Will the gentleman tell me whether, in his judgment, being an expert cotton man, the statement I made with reference to the use of the $75,000,000 was extravagant?

Mr. ASWELL. It is accurate and it is conservative.

Mr. BRAND of Ohio. Mr. Chairman and members of the committee, I would not rise if I did not think I might say something that may be of benefit to some, especially on the question of cotton. I admit that there is a difference between the handling of northern products and the handling of cotton. We propose in the North to raise the price of our products above the world price to the amount of the tariff, and probably to take the surplus and sell it abroad at the world price. That is what we have in mind. We expect to sustain a loss on the surplus, for which we levy an equalization fee in the bill as it will be amended. In cotton it is proposed to raise the price or to hold the price, how much? If you have good sense you will hold it to the cost of the production plus a reasonable profit, and no more.

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

Mr. BRAND of Ohio. I would rather not.

Can you do that? Can the Government raise or lower a price? Has the Government power through an organization to do that? This is no new question to the Government of the United States. The Government has already done it, and I happened to be a part of the organization that accomplished that purpose. That is the reason for my rising. In 1920 you will remember that your Democratic administration decided that the cost of living was too high, and it decided to drop it. The administration used the Federal Reserve Board. The Federal Reserve Board sent notices out to the various banks—and I am a director of a bank and I know that we received a notice—to call in loans and make people pay up—

let them sell their stuff so that the price would be reduced. That came from up on high in this Government. Your price on cotton at that time was 34 cents a pound.

This word went out, that credits were to be reduced and drawn in, and the buyers of cotton all over the world learned about it. They said, "See here, the cotton grower will have no place to sell his cotton, and we better stop buying, and they did stop buying and used up what they had and bought from hand to mouth, and cotton went down from 34 cents in less than a year to 9 cents a pound. Ruin followed. Banks and individuals failed. The Congress was in session, and it decided the Government would boost that price. The Congress gave the War Finance Corporation $300,000,000 with which to do that. To-day is not the first time that we have considered raising prices. That fund was for the purpose of raising the price of all commodities in agriculture all over the United States. President Harding looked out over the United States and picked out about a dozen men to come down to Washington who knew local conditions and advise with the War Finance Corporation. I happened to be chosen from Ohio. We looked over the South and saw your situation, and we sent men down to the cooperatives. Why? Because we thought we were going to raise the price of cotton, and we did not want the speculators to get the advance; we wanted the growers to get it. We said this to the cooperatives: "Have the growers bring in their cotton and put it in a warehouse; get a warehouse receipt and here is your money for the value of that cotton." That got into the newspapers, and it went out over the world. Then the cotton miller said to himself, "Uncle Sam is back of this thing; he is taking a hand; he is saying that he will not permit the cotton grower in the South to clothe the world at a loss."

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

Mr. BRAND of Ohio. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRAND of Ohio. The cotton millers over the world began to say that cotton was going up and that they had better buy. What happened was that the millers over the world and Uncle Sam were both buying cotton, and in three months' time cotton went up 100 per cent. [Applause.]

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

Mr. BRAND of Ohio. Yes.

Mr. FULMER. How many bales of cotton did you have to buy to put that proposition through?

Mr. BRAND of Ohio. It surprised us how little.

Mr. GARRETT of Texas. In August of 1921 the price started to rise, but there were only 8,000,000 bales made in the United States that year.

Mr. FULMER. But in the meantime, because the exportation of cotton had been cut off, we had a surplus of over 9,000,000 bales at that time to carry.

Mr. BRAND of Ohio. When we got through we found that we had put up $41,000,000 of the fund that Congress gave us, and then there is this other fact. I went down and looked at the books of the War Finance Corporation the other day and I asked, "How much do the cotton people owe you?" They said, "Oh, that was all cleaned up that year, every cent of it; the Government did not lose a dollar." [Applause.] Let me answer about the crop condition. Let us go down to Brazil. When I was a boy I used to sell Arbuckle's coffee, and Lion coffee, in packages. It retailed at 10 cents a pound, you may remember. The retailer paid 8 cents a pound for this package coffee, the Arbuckle Co. in New York must have paid 4 or 5 cents a pound. Down in Brazil they got probably 3 or 3½ cents a pound for that coffee green.

Mr. SHALLENBERGER. The gentleman has not yet told us how many bales of cotton he thinks were handled in that year.

Mr. BRAND of Ohio. I said $41,000,000 worth. You cotton men are good figurers.

Mr. FULMER. About 500,000 to 750,000 bales.

Mr. BRAND of Ohio. And I want to say before I forget it that we raised the price of cotton to everybody. The price was raised 9 cents a pound on 10,000,000 bales, and what did that amount to in dollars? It was done because the Government risked $41,000,000 on a loan.

Mr. CRISP. But does not my friend agree that the reason the price was raised that year was because only 8,000,000 bales of cotton were made, 6,000,000 bales less from the world's yearly consumption?

Mr. FULMER. But I will say I understand we had over 9,000,000 bales carried over that year, and 5,000,000 bales the next year and three and a half the next——

Mr. CRISP. And the carried-over surplus was consumed?

Mr. BRAND of Ohio. Yes; and at a fair price. I am going to answer that with coffee. That will not hurt any of us. Retailers were selling coffee at 10 cents a pound, and the retailer paid 8 cents, and the Brazilians were getting about 3½ cents a pound.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. I ask unanimous consent that the gentleman may have 10 additional minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Ohio be extended for 10 additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BRAND of Ohio. Mr. Chairman, the Brazilians were getting about 3½ cents for coffee, and the Brazilian Government recognizing the people were raising coffee at a price which was pauperizing their people and making them a burden upon their Government instead of being a strength to their Government, so the Brazilian Government said, "Bring in your coffee! Put it in the warehouse. We will pay you for it"; and it said to the world, "You can not have our coffee for less than it costs us to produce it."

Mr. FULMER. I want to say in connection with that proposition the United States furnished $10,000,000 to take it off the market.

Mr. ASWELL. Does the gentleman recommend that the United States Government say to all agricultural producers of America, "Bring it in and store it, and we will pay for it"?

Mr. BRAND of Ohio. Control the surplus, and we will pay any loss ourselves. We of the North are not going to ask the Government for anything. [Applause.]

Mr. ASWELL. But the gentleman has not answered my question.

Mr. BRAND of Ohio. I do not yield further. But the Brazilian Government bought coffee. Since that time—and that has been a number of years—the Brazilian Government has been able to maintain the price of coffee around 17 cents a pound. I just called up the Brazilian Embassy, and I asked them over there if the Brazilian Government had ever lost any money on the deal, and I was told by the embassy not one cent. [Applause.]

Mr. FORT. Will the gentleman yield?

Mr. BRAND of Ohio. I will.

Mr. FORT. Is it not true in that same period there has been no increase in the production of coffee in Brazil?

Mr. BRAND of Ohio. Thereby the gentleman refutes all he has ever said on this floor. [Applause.] Try again.

Mr. FORT. Is it not true—perhaps I should have worded my question differently—that the handling of the stabilization program in Brazil involved that there shall be no increase in production, and there has been none?

Mr. BRAND of Ohio. To be candid, I do not know of any increased production of coffee.

Mr. BLACK of New York. Will the gentleman yield?

Mr. BRAND of Ohio. I will.

Mr. BLACK of New York. Of course, the Brazilians are getting money out of foreigners, but by this bill it is proposed to gouge the Americans by selling to foreigners more cheaply.

Mr. BRAND of Ohio. Not more cheaply on any article. We can make the whole world pay a fair price for cotton.

Mr. FULMER. I will say the Brazilian people have increased the consumption of coffee in the last 10 years 50 per cent.

Mr. BRAND of Ohio. Now, Brazil is getting a fair price for her coffee. Now let us go over to Greece, take another little trip. I have been in the currant business all my life. When I was a boy we used to ship currants over here by cargo at about 2 cents a pound for dried currants. That only netted the producers over in Greece about a cent a pound. Now, the Greeks are smart business men, and they came to the conclusion it was not good sense for Greeks to be impoverished by selling currants at such a price, and they got up a Haugen bill almost an exact duplicate of this one, and they had an equalization fee. This changed every year. They took the surplus off the market, and ever since that time the average price of currants instead of being 2 cents a pound has been 9 cents a pound. And that is 25 years ago, and America is just learning, and you cotton people, some of you have not the gumption to see it, and you can get a decent price for cotton all the time. The Greeks get 9 cents a pound for currants, and I went over to Greece last year and I saw these Greeks who used to be an impoverished people.

Now, the best-to-do people in Greece are those growers of currants. [Applause.] Those politicians over there levied an

equalization fee on their producers. Did it ruin them, the politicians? Where is Mr. HUDSPETH?

Mr. DICKINSON of Iowa. Right behind you. [Laughter.]

Mr. BRAND of Ohio. He thinks he will lose his job here if we put an equalization fee on.

How about those Greek politicians? The man who was responsible for this whole scheme in Greece is a man by the name of Michaelopulous, as near as I can pronounce it, a fine-looking man, over 6 feet tall, with black hair and black eyes, a regular Adonis, looking like TOM CONNALLY. [Laughter.] He is the man who was more responsible for it than anyone else, and he made the producers pay that tax, if you want to call it a tax.

What was the result? When I was there he was Premier of Greece. You can see what Mr. HAUGEN and Mr. DICKINSON are coming to. [Laughter.]

Gentlemen, this is not a new thing at all that we are talking about. The world has been talking about it and doing it. By it Brazil has helped her people, and Greece has helped her people. We are a financial giant. You know I can take all the surplus products of agriculture in America and take the money out of the banks in Cleveland and pay for every pound of them. Do you think with that kind of a condition we can not do anything for agriculture?

And now I want to say to the consumer Congressmen I know you are scared stiff by this bill and are afraid to vote for it because you are afraid the consumers at home will go back on you. I want to say to you that those consumers at home are loyal American citizens and they know that agriculture must not languish, and I know also that the probabilities are that if we pass this bill and it works effectively it will not cost anything to the consumer. I am satisfied of that.

I believe the increase in the prices received by the farmer for his products will be taken up by the middlemen. Why? Because I believe the retail price now is all that the traffic will bear. [Applause.] I do not believe that it has anything to do with the price paid to the farmer. I will give you some illustrations, if you want to listen. I have been studying the question of bread for years in this country and abroad. In Ohio, for the last five years, bread has been on an even basis of 8 cents a pound, full weight, because the law requires it. The price of wheat during those five years has been as low as 85 cents a bushel, and it has been up this year to $1.83, and no change has occurred in the price of bread. I have asked some of the bakers—and they are friends of mine—"Why no change in the price of bread?" "Well," they say, "we find that when we get over 8 cents the women begin to bake bread, and that reduces our business, and so we avoid that contingency."

Now this year the price has been high on wheat. Did the bakers make any money? I happen to know of one concern that made 48 per cent this year under present conditions.

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

Mr. COLE. How much did they make when the price of wheat was low?

Mr. BRAND of Ohio. The baker sayeth not.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

Mr. NEWTON of Minnesota. Reserving the right to object, Mr. Chairman, I have two amendments that are germane to the section which I would like to discuss.

Mr. BLACK of New York. Reserving the right to object, Mr. Chairman, I have a couple of amendments I want to offer to this section. I will say to the gentleman that they have nothing to do with prohibition at all.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

Mr. CONNALLY of Texas. Mr. Chairman, reserving the right to object, I want a vote on my amendment and then they can discuss other amendments.

The CHAIRMAN. Does the gentleman from Texas object?

Mr. CONNALLY of Texas. I object.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the question is on the amendment of the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. CONNALLY of Texas) there were—ayes 41, noes 94.

Mr. CONNALLY of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. HAUGEN and Mr. CONNALLY of Texas.

The committee divided, and the tellers reported that there were—ayes 41, noes 94.

So the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 9, line 24, after the word "wheat" insert "oats and rye."

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Before speaking to the amendment let me comment briefly on coffee and its control by Brazil, which the gentleman from Ohio [Mr. BRAND] referred to a moment ago. The situation in Brazil as to coffee and in our country on cotton are vastly different. Brazil has a practical monopoly on the production of coffee, for that country produces 65 per cent of the world's production. Its consumption is nil—about 5 per cent. We consume 35 to 40 per cent of the cotton we produce. We have a substantial domestic market for cotton. She has none for coffee. We buy 55 per cent of Brazil's coffee. She charges the excess or advanced price to the foreign consumer, who feels he must have her monopolized governmental controlled product. While this scheme proposes to charge this to the domestic user and sell at the reduced world price to the foreign consumer, the two cases are hardly analogous. In this connection I submit for the RECORD in connection with my remarks a portion of a report I submitted from the Committee on Interstate and Foreign Commerce on the Brazilian coffee control, as follows:

COFFEE

Governmental control had its genesis in the valorization scheme pertaining to coffee. Again we find large percentage (65 per cent) of world's production in Brazil, the country of control. It consumes about 5 per cent of what the world produces, while the United States consumes about 50 per cent. During the last three years we imported an average of 10,200,000 bags of coffee (132 pounds to the bag), valued at about $20,000,000. Of this, Brazil furnished 6,700,000 bags, valued at $124,000,000. It amounts to 55 per cent of the total coffee that Brazil exports.

The valorization in Brazil began with the passage of the act of 1906. Under this act, the State of Sao Paulo, backed by the Federal Government, bought from 8,000,000 to 10,000,000 bags of coffee during the next three years at a very low price. This coffee was disposed of largely during 1911–1913 when smaller crops and the stock shortage, brought about by the Government withholding its supply, had caused a considerable rise in price. This enterprise was made possible through a loan of 3,000,000 pounds sterling guaranteed by a surtax of 5 francs per sack. An arrangement then was made with foreign merchants to store the coffee and advance 80 per cent of the price while the State would advance 20 per cent.

The second large purchase was made during 1918, when prices were very low, due largely to the war, which had interfered with exports to Europe. This was disposed of in 1919 at a very good price and large profit to the Government. This was financed through an issue of paper money by the Federal Government, amounting to about $75,000,000 and an additional loan from the Federal Government to Sao Paulo of $27,000,000.

The third major coffee purchase was in 1921, when about 4,500,000 bags were purchased. The financing of this operation was conducted through the Banca de Brazil on short-term notes, which were refunded through a British-American loan of 9,000,000 pounds sterling floated in May, 1922.

Since 1921, however, the policy has gradually changed from one of purchasing coffee to one of limiting the movement of coffee to the ports. The coffee is thus held in the interior and the burden of carrying the surplus falls back upon the producers. To aid in this the Government has built large interior warehouses.

A loan of 5,000,000 pounds sterling, with prospects of an additional like amount, was recently negotiated in Europe, and this has strengthened the position of the Coffee Defense Institute, the semiofficial body responsible for the valorization operations.

During these years Brazil has kept her production close to an average of 12,000,000 bags. In the meanwhile other coffee-producing countries have generally increased production by nearly 50 per cent. This governmental control over coffee has resulted in substantial price advances to consumers. Although it is impossible to state exactly what has been the increased cost to the American public, it can be pointed out that the difference between the average import values

of coffee in the United States in 1922 and 1925 was about 10 cents per pound, which amounts to about $135,000,000 on the annual coffee purchases of the United States. A substantial part of this advance is due to the operation of the Brazilian valorization scheme, since production costs have only slightly advanced in that time.

The amendment I have offered adds oats and rye to the basic commodities. If corn is to remain in the bill, oats should go in because of its close relationship as feed to corn. Nineteen per cent of corn goes out of the county in which it is produced, while 26 per cent of the oats go out. There is a large surplus of oats to-day; there will be a carry over and the price is far below what it should be. Therefore, if corn goes in, oats should follow. There is a close relationship between wheat and rye. When wheat goes to a certain figure, then the price of rye is bound to respond, because there is a less demand for wheat and an increased demand for rye.

If the domestic or foreign demand for wheat is decreased, then you thereby increase your surplus of wheat and still further depress the world price and what the surplus will sell for per bushel. If this bill is to be a scientific bill drawn along sensible lines, rye should certainly be included with wheat as one of the commodities.

I am going to offer another amendment and I want now to call attention to it. On page 12, subdivision 2, you have a provision that ought not to remain in the bill:

No sale or contract of sale shall be made in respect of which a loss would be sustained unless such sale or contract is authorized by the board.

This refers to sales or contracts for sale made by those cooperatives or other agents of the board who have an agreement with the board wherein they are to buy, store, and sell or process the commodity and thereby assist in maintaining a domestic price equal to the world price plus tariff and freight. It is up to them to dispose of the surplus. It is a staple world commodity which they must dispose of in the world market, which is generally a buyer's market. For example, here is a concern, cooperative or otherwise. It has bought 50,000,000 bushels of wheat in the domestic market for which it paid the world price plus tariff and freight. This concern must dispose of this as it can from time to time to best advantage. Sales of wheat are made through quick offer and immediate acceptance. Under this paragraph this agent would first have to submit the offer to the board if any loss was to be sustained. Generally speaking, there would be a loss. That is expected. Nevertheless, the board would have to meet and authorize the sale. The plan is impractical. It will not work and the provision should go out.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer another amendment, which is the second amendment to which I called attention, and I do not care to discuss it further.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 12, line 18, strike out the subdivision (2).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota, Mr. NEWTON.

The amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: On page 12, line 22, after the comma, strike out the balance of subparagraph (3) and insert in lieu thereof the following: "As soon as and to such extent as the board may find such action necessary to prevent an enhancement of the market price in the principal markets of the United States for any such basic agricultural commodity or its food products above a fair and reasonable price."

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, when I struck subdivision (3) of paragraph (f) of the bill I saw something that looked respectable, and so respectable in the middle of these other provisions that I became suspicious of it and decided to do what I could to make it actually respectable.

The subdivision I seek to amend provides that the board can make these loans, demand loans, as soon as the market, in the opinion of the board, gets too high. Now, what is the use of waiting until then? If the board can ascertain beforehand that the market price is liable to be too high, let the board by making these loans demand loans keep the public from being gouged by something that the board itself may realize will be too high.

I think the committee ought to accept this amendment. This particular subdivision is the one brake on this bill, a bill which, in my opinion, if it ever becomes a law, is going to bring more scandal in this country than anything we now have on the statute books. Here is a bill that provides for a Federal farm board that shall be the creature of a Federal farm council, the members of which are not public officials; a bill that provides that Federal moneys may be lent to cooperative associations and farm organizations, all of whose members may have a say in the creation of the Federal farm council. In other words, the parties who are to get the money, the parties who are to get the benefit of this bill are going to run your Federal farm board. They not only create your Federal farm board, but they direct your Federal farm board; and if they can not get enough in that way, under the section dealing with cooperation with executive departments, they can force the Tariff Commission to raise the tariff when they think it ought to be raised. The whole thing from beginning to end, except this particular provision, is rotten and reeks with possibilities of scandal.

Lately, in New York, we had the Federal district attorney for the southern district of New York put out of business the Ward Bread Trust. The Ward Bread Trust is nothing but what will be created by the provisions of this bill, except that the Ward Bread Trust was subject to the jurisdiction of the Federal Trade Commission, the grand jury, and the United States attorney; but under this bill the Wards overnight could become a cooperative and begin to run your Federal farm board by getting control of your Federal farm council and your Tariff Commission.

I am a little sorry my friend CONNALLY has found out that the cornfield canaries are becoming tariff snowbirds, but that is truly the fact, and not satisfied with what they are getting now they want to control every branch of government to gouge the consumer and particularly my New York consumers.

First of all, they are going to grab $100,000,000 out of New York so that they can buy up the surplus, and what are they going to do with it? Are they going to give the benefit of it to the laboring man in this country? Are they going to give these products to anybody in this country at a cheaper price? Not on your life. They are going to send them over to the European workingman and give him a little food more cheaply after they grab off $100,000,000 from the people of New York to do it with.

I think this bill is going to pass. [Applause.] I have not any doubt in the world about it, and the reason I say that——

Mr. DOWELL. Will the gentleman yield?

Mr. BLACK of New York. I will yield; yes.

Mr. DOWELL. The $100,000,000 the gentleman says is going to be grabbed off of New York, most of that money, before it is taken from New York, is grabbed from the other parts of the United States by some of the gentleman's constituents in New York. [Applause.]

Mr. BLACK of New York. Wait a minute about that. If there is any $100,000,000 around loose out in Iowa, Montana, or Idaho, what are you yelling about, and what do you want this bill for?

Mr. LOZIER. Will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. LOZIER. Seriously, is it not true that while New York pays such a large proportion of the income taxes and other taxes to the Government, that New York is primarily the clearing house through which the money made by the great corporations all over the United States is accounted for; is not that true?

Mr. BLACK of New York. Yes; and I will tell the gentleman another thing. If this bill passes, there are enough smart men down on Wall Street to join these cooperatives and become farmers overnight to steal it from you. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I have another amendment.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 13, end of line 8, insert:

"(h) Such agreements may provide for the gift or sale of any commodity or its products at a price lower than that fixed by the board

for the general merchandising of such commodity or product to charitable institutions for the maintenance of their inmates."

[Cries of "Vote!" "Vote!"]

Mr. BLACK of New York. Mr. Chairman and gentlemen, I want to say to gentlemen who are trying to cry me down that I have been talking under elevators in New York to real radicals, and I will not be stopped by political socialists here who are just after votes. I want to find out how many big broad-minded men from the open spaces are going to rob the lame, the crippled, the blind, and others found in the city and State institutions. Are you going to allow this bill to go so far while you are taking the public money as to rob the crippled? If you do not adopt this amendment, that is what you are going to do. I throw this in your teeth. Go to your people and say that you voted it down; that you are against the unfortunate in institutions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. BLACK of New York) there were 14 ayes and 55 noes.

So the amendment was rejected.

The Clerk read as follows:

PURPOSES OF EQUALIZATION FEE

SEC. 9. In order that the producers of each basic agricultural commodity may contribute ratably their equitable share to the equalization fund hereinafter established for such commodity; in order to prevent any unjust discrimination against, any direct burden or undue restraint upon, and any suppression of commerce in basic agricultural commodities and their food products with foreign nations in favor of interstate or intrastate commerce; and in order to encourage and stimulate the normal and usual current of foreign and interstate commerce in basic agricultural commodities—there shall be apportioned and paid as a regulation of such commerce an equalization fee as hereinafter provided.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the section.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11603 and had come to no resolution thereon.

MAMMOTH CAVE NATIONAL PARK

Mr. VINSON of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Mammoth Cave National Park bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. VINSON of Kentucky. Mr. Speaker and Members of the House, Mammoth Cave, the greatest cavern known to man throughout the entire world, was discovered by John Hutchins in 1809. Hutchins, a famous hunter of his day, had wounded an enormous bear, and while in pursuit of his wounded game was led by the retreating animal to the mouth of the cave, which the bear entered, and which Hutchins explored for only a short distance, yet far enough to realize something of its immense size. He reported his discovery of the cave, but no definite explorations were made for two or three years, and then only for a distance of a few miles from the entrance.

Mammoth Cave, situated in Edmonson County, Ky., was purchased in 1811 by a Mr. McLean, who bought the cave and 200 acres of land about its mouth for the sum of $40. It was wanted by McLean because it was rich in nitreous earth, from which saltpeter is made. During the War of 1812, the cave property having been acquired by Mr. Gatewood and then sold to Messrs. Gratz and Wilkins, a fortune was made for the owners by the manufacture of saltpeter, for during this war the Americans were sorely in need of gunpowder, and as saltpeter is one of its principal ingredients, there was a great demand by the Government for all the saltpeter Mammoth Cave could produce. It is claimed by historians that the cause of the Americans would have failed in the conflict had it not been for the home manufacture of saltpeter in the Mammoth Cave during the war, as all foreign supply had been cut off by a strict and general embargo. Powder manufactured from the material taken from Mammoth Cave had just been furnished to Captain Bainbridge, of the "Old Ironsides," when—

Her thunders shook the mighty deep—

in that brilliant victory over the British fleet off the coast of Brazil. Commodore Perry's fleet of nine vessels had been supplied with powder from the same source just before he met the hostile fleet near the west end of Lake Erie in September, 1813. I need not recount the result of that desperate encounter. Perry was enabled to send his historic dispatch—

We have met the enemy and they are ours.

The same powder was used by General Jackson's famous Kentucky and Tennessee riflemen when in the Battle of New Orleans they won undying fame for their marksmanship and courage. The remains of these old saltpeter works are still to be seen within the cave.

The daughter of Mr. Gratz, one of the owners of the cave, was a beautiful Jewess and a friend of Washington Irving, who related the story of her romance to Sir Walter Scott in 1817. Shortly thereafter, Ivanhoe appeared, in 1819. Scott sent one of the first copies to Irving, asking, "How do you like your Rebecca?"

The firm of Gratz & Wilkins disposed of the cave in 1816, together with approximately sixteen hundred acres of land, to Mr. James Moore, a Philadelphia merchant, who was ruined, it is related, by his complications with Burr and Blennerhassett. The property then passed once more into the hands of Mr. Gatewood, who made it a place of exhibition to the public.

In the year 1837, the estate was acquired by Mr. Frank Gorin, who employed Moore & Miller as his agents, and Stephen Bishop and Matt Bransford as guides. Then began the era of the discoveries of the wonderful caverns which constitute Mammoth Cave. But it took a near-tragedy to bring about active exploration on an extensive scale. This occurred when Mr. C. F. Harvey, Mr. Gorin's nephew, was lost in the cave for a period of 39 hours. Another contributing cause for more extensive exploration of the cave was the fact that Dr. John Croghan, a young physician of Louisville, while on a tour abroad, was repeatedly asked about the marvels of Mammoth Cave which, even then, had percolated to the capitals of Europe. The mortification he experienced at not being able to give them the information concerning the cave which they sought determined him to visit it upon his return, which he did. So charmed was he with the scenic wonders found there that he purchased it from Mr. Gorin, on October 8, 1839, for $10,000, and expended large sums of money in its development. At his death, which occurred in 1845, the estate descended to his eleven nephews and nieces, the sons and daughters of Col. George Croghan, Mr. William Croghan, and Gen. T. S. Jessup. So much for the early history of Mammoth Cave.

Mammoth Cave, accounted one of the seven wonders of the world, is justly famous. There are caves in all parts of the universe, but none upon the face of the globe to compare with Mammoth Cave, the pride of our beloved Kentucky. Futile it would indeed be to make an effort to do it full justice with the pen of man. Its wondrous caverns were fashioned by nature through the erosion of the ages which carved out mighty vaults, domes, and chambers; the drip, drip of water through long periods of time built up the stalagmites and carried down the stalactites, decorating the interior of the vast underground area ways in phantomlike splendor and beauty.

The cave is admirably located for easy accessibility, being located near the center of population of the United States. It is readily reached by roadways, railroads, and an all-year navigable stream (Green River), one of the most beautiful waterways in this country. The cave is surrounded by forest growths, which clothe picturesque and lofty hills—an ideal camping and recreational retreat. Above ground, one may camp and fish and enjoy the luxurious life of the outdoors man to his heart's content, while beneath his very feet lie the labyrinth of cavernous passages whose beauty and grandeur beguile alike the scientist and the layman. It is most fitting that such glorious and gorgeous handiwork of God should be forever kept sacred to posterity by enshrinement in our national-park system.

At the last session of Congress, I was a member of the Committee on Public Lands, and when the bill for the survey of Shenandoah in Virginia and the Big Smoky project in North Carolina and Tennessee was being considered by the committee I introduced the amendment, which was adopted, to include Mammoth Cave in the bill for survey along with these other two national park projects.

The committee was holding its last meeting prior to reporting out the park survey bill, and on this same day the Kentucky delegation had secured an engagement with the President, at 11 o'clock, to discuss with him the feasibility of the Mammoth Cave National Park proposition. This was deemed inexpedient since the bill pending for the national park in the Shenandoah and the Big Smoky Mountains of North Carolina and Tennessee referred particularly to these projects and no other.

I suggested to the Kentucky delegation that I had better remain for the committee meeting instead of accompanying them to the White House, and they readily concurred that this was the proper course to pursue. There was not a word said about the inclusion of Mammoth Cave for survey until after the committee went into executive session and I then proposed the amendment. There was considerable opposition to the amendment on the ground that I had nothing in writing to show it had ever been considered; had no reports, and so forth, but there had been a great deal of correspondence about Mammoth Cave and, of course, it has a national reputation.

A member from Arkansas, Judge DRIVER, had been there and he extolled its wonders most generously and, with the statement that the Kentucky delegation had called upon the President and that it met with his approval, the committee included the amendment for the survey of the Mammoth Cave territory. If this had not been done at that moment the bill would have been reported out without such an amendment. The bill was reported to the House on January 29, 1925, designated as H. R. 1320. On February 16, 1925, S. 4109 was substituted and passed by the House and Senate, becoming a law with the President's signature on February 21, 1925, and designated as Public Law No. 437. This bill merely authorized the survey of the Shenandoah, Big Smoky, and Mammoth Cave park sites.

Having been honored with membership on the Military Affairs Committee in the Sixty ninth Congress, I necessarily relinquished membership on the Committee on Public Lands. However, when H. R. 12020, a bill to provide for the establishment of the Mammoth Cave National Park, was under consideration by the Public Lands Committee, I appeared before that committee and exerted my every effort to get their favorable action upon this measure, realizing its importance to my State and Nation. The result was that it was reported favorably to the House on June 12, 1926. Subsequently, the House bill was laid on the table and Senate bill 4209 was passed in lieu thereof. This bill became the law of the land with the President's signature affixed thereto on June 25, 1926, and was designated as Public Law 283. By the provisions of this act, when a minimum of 20,000 acres of land are given the Government, the region legally may be designated for national-park purposes. This legislation approves the project and it is now up to Kentucky and her splendid citizenry to meet the situation in order that the Government may take over this region for the actual establishment of the national park. Kentuckians have not been found wanting in the past and Kentuckians will not be found wanting now. They will be swift to realize the momentous opportunity which this bill makes possible, to the end that Mammoth Cave shall not only be the pride of Kentucky, but that it shall be the pride of all America, administered by the National Government. Thus, and only thus, can this heritage of the countless ages necessary for its creation by erosion be handed down to posterity undespoiled by private enterprise.

FARM RELIEF

Mr. CANNON. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, the Missouri delegation is in receipt of a telegram from the Missouri Farmers' Association, one of the largest farm organizations of the Middle West, urging that the Members of the delegation not only support the Haugen bill, but oppose both the Tincher bill and the Aswell bill. The association goes on record in this telegram as asking for the Haugen bill or nothing, and as opposing any "milk-and-water substitute which would permit opponents of the Haugen bill to avoid the real issue."

Mr. NEWTON of Minnesota. Is this the Haugen bill as it was or as it will be?

Mr. CANNON. As modified by the amendments offered by the gentleman from Iowa.

SOME FACTS RELATING TO INDIAN LEGISLATION

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Indian matters.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. WILLIAMSON. Mr. Speaker, as far back as I can remember there have been periodic attacks made upon the Bureau of Indian Affairs. No commissioner of the bureau has ever escaped. These assaults have come from men in and out of Congress. Some of the attacks have been prompted by good motives and have come from people genuinely interested in the Indians; others have come from men who have been notorious in exploiting the red man, and still others have come from professional lobbyists who have scattered to the four winds misleading and false propaganda in order that they might induce kind-hearted people to send them money for the ostensible purpose of fighting the Indians' battles.

I have in my files a number of letters directed to Indian constituents of mine and signed by Gertrude Bonnin, of Washington, D. C., who poses as president of the "National Council of American Indians." It has been reported to me by one who was there that this "council" was organized at the instance of the Bonnins last winter by getting together a number of Indians who happened to be in the city at the time in connection with various matters in which their respective tribes were interested. A delegation of the Sioux from South Dakota was here at the time, and they were invited to join the organization, but respectfully declined the doubtful honor.

ALARMING CHARGES

Armed with this high-sounding title, the writer proceeds to make charges against the Indian Bureau and Members of Congress, which, if true, would indicate that great wrongs were about to be committed against the Indians of the country. As some of the Indians in my district have become alarmed over what it is claimed Congress is trying to do to them, and particularly over some of the charges made in the Bonnin letters, a plain statement of the facts seems to be called for.

COURT OF INDIAN OFFENSES BILL

In one of these letters, directed to Joseph R. Kettle, a member of the Rosebud Sioux Tribe in my district, she states:

I am writing you to-day on a matter of great importance, especially to our Sioux Indians and to all Indians generally.

A little further on she proceeds:

I want to emphasize the necessity of defeating bill H. R. 7826 because it is a vicious bill designed to give the Indian Bureau added power over all Indians to the extent that Indians may be put in jail for six months at hard labor and a fine of $100 every time he does anything to break any rule or regulation promulgated by the Indian agents. This bill was introduced at the request of Commissioner Burke and is strongly supported by Congressman WILLIAM WILLIAMSON, of South Dakota. WILLIAMSON said that he lived with the Indians many years and knew all about them; and that the Sioux Indians wanted such a law passed. He had a delegation appear from Rosebud at the House committee hearing on this bill, and they were told to stand up, they were introduced and then their attorney, Ralph Case, told the committee that all the Sioux liked this bill and wanted it passed.

Disregarding her inaccurate statement as to the effect of the bill, I want to call your attention to the statement from the excerpt just quoted that—

This bill was introduced at the request of Commissioner Burke and is strongly supported by Congressman WILLIAM WILLIAMSON, of South Dakota.

Note this; I am reading from the letter—

WILLIAMSON said that he lived with the Indians many years and knew all about them; and that the Sioux Indians wanted such a law passed.

In the first place, I have not at any time or place expressed myself in favor of this bill. During a cross-table discussion of the native Indian courts by members of the Indian Affairs Committee of the House, I explained very briefly the character of those existing on the various Indian reservations in my district and stated that I had never heard the Indians complain about the manner in which they were conducted nor register objections to the sentences imposed by the native Indian judges. I made no reference whatever as to whether I or the Sioux favored the bill or not. At that time I knew nothing about their attitude toward the bill. The day prior to the discussion referred to, I had handed a copy of the bill to the Rosebud Sioux delegation who were in the city and asked them to study it and let the committee know what they thought of it.

At the next meeting of the committee they appeared and announced that they were present with their attorney, Ralph H. Case, who would present their views. Mr. Case then arose and stated to the committee:

In the meantime they have taken up a study of the bill (H. R. 7826) introduced by you, Mr. Chairman, and they desire to be recorded as being strongly in favor of the continuance of the Indian court. They have talked this bill over with me and have instructed me to say to you that they regard the court conducted by Indians for Indians as one of the strongest safeguards of their liberty, and that it is an educational factor in the development of Indian citizenship that is second to no other factor in the reservation country. There is, however, an amendment or two the delegation would like to propose.

Since the above discussion took place the Case amendments and some others have been tentatively incorporated in the bill. Perhaps the most important change is the following proviso:

Provided further, That reservation courts of Indian offenses shall be selected by the restricted Indians of the reservations over which the judges shall preside, and only restricted Indians shall be eligible for election to said courts.

In other words, the bill as now drawn gives the Indians the right to exercise home rule and select their own judges and in this form it has been approved by most of the Indian witnesses appearing before the committee.

EXECUTIVE ORDER RESERVATIONS BILL

The Bonnin letter is too long for insertion in the RECORD, but I call your attention to this statement:

WILLIAMSON is no friend to any Indians * * * WILLIAMSON is supporting another bill of Mr. Burke's (reference being made to H. R. 9133) which, if passed, will deny the Indians any title to Executive-order reservations; or any other kind of reservations. They want to take all the land away from the Indians.

It is difficult to understand how any informed person could have made such a statement. It does not come within rifle shot of the facts. In the first place, the bill above referred to does not seek to take title or other rights from the Indians interested. On the contrary, it seeks to protect their rights. My whole effort in connection with this bill has been to secure such amendments as will fully protect the Indians upon Executive-order Indian reservations, and as amended and reported I think there is no question but what it does this. I am opposed to the last proviso of the House bill, seeking to authorize the reinstatement of certain oil filings, and so publicly announced to the committee. This proviso will undoubtedly be stricken out before the bill becomes law. The United States district court, district of Utah, has held that title to lands upon Executive-order Indian reservations is in the United States, and that the Indians have no title thereto, legal or equitable. The bill has for its express purpose the protection of the Indians in the oil royalties upon Executive-order Indian reservations, which, under the decision referred to, would be lost to them. No bill has been introduced nor advocated by anybody seeking to deprive Indians of their title to any kind of reservation.

THE CONGRESSIONAL "GANG"

The letter then proceeds:

They have a gang formed in Congress to do these things, and these two men—

Referring to Congressman WILLIAMSON and Commissioner Burke, of the Indian Bureau—

are the worst ones and should be put out. I must tell you they recently caused $100,000 to be taken from the Navajo funds to build a bridge for white people. Everybody in Congress said it was a big steal; but they did it, anyway.

Does any well-informed person believe there is such a "gang" in Congress? Certainly not! There is no such "gang."

With reference to the statement that $100,000 has recently been taken from the Navajo funds to build a bridge for the white people, I may state that the Sixty-eighth Congress did provide for the construction of a bridge between the Navajo Indian Reservation and that part of Arizona lying across the river. One half of the construction cost of the bridge is to be taken from the Federal Treasury; the other half is to be paid by Arizona. The part to be taken from the Federal Treasury was made reimbursable in the event that the Navajos should ever have sufficient funds to warrant paying their part of the cost. I was not a member of the Indian Affairs Committee at the time this bill was reported out, and did not vote for it in the House.

Oil has been discovered upon the Navajo Indian Reservation. It is believed that there are very rich oil fields that are yet untapped, and Congress made the Navajo's share reimbursable on the theory that, if oil should be struck in large quantities, it would be only just that the Indians should pay for their portion of the bridge. Congress will certainly never permit—at any rate not with my consent—any part of the construction charge to be taken from the Navajo funds unless large producing wells should be developed upon their lands.

JURISDICTIONAL BILLS

Then there is this choice bit of "information":

Commissioner Burke always brags about how he never allowed any jurisdictional bills to pass when he was in Congress. He is following that up as Commissioner of Indian Affairs by making unfavorable reports against any such bills presented now by other Indians. He got President Coolidge to veto several Indian jurisdictional bills last year after they had passed both Houses of Congress. He is trying hard again this year to prevent the passage of several such bills, while at the same time he is pushing bills that he has introduced which will take away property and freedom from the Indians.

Through WILLIAMSON and others he is able to have his own way in Congress.

The last sentence clearly implies that I have collaborated with Commissioner Burke to defeat jurisdictional bills. This charge is made despite the well-known fact that I have supported all of the jurisdictional bills. As chairman of subcommittees I have reported out the Chippewa Indian jurisdictional bill, the Assinniboin jurisdictional bill, and the Crow Tribe jurisdictional bill. The recently submitted Winnebago jurisdictional bill will be reported out in time to be considered at the next regular meeting of the Indian Affairs Committee. One of these jurisdictional bills has passed both the House and the Senate and has been signed by the President; two others have passed one body; and it is expected that the last will soon be placed on the House Calendar. In addition to that, I have introduced a general jurisdictional bill which will take care of all the tribes throughout the United States.

In fairness to Mr. Burke it should be said that in his testimony before the committee he has shown no disposition to block the passage of jurisdictional bills, nor is he pushing bills "which will take away property and freedom from the Indians."

APPEALS FOR SUPPORT AND FUNDS

Having set forth at length what she would have the Indians believe to be great wrongs about to be committed against them, the writer of the letter urges that—

In order that this organization may more effectively succeed, it is highly important that all Indians get behind it and support it to the limit. * * * The National Council of American Indians has its headquarters here, where Congress and the Indian Bureau are handling Indian money and lands. * * * Don't allow any Indian to be on the outside of this organization unless he is an enemy to the Indian's best interest, for if he has no money, he need not pay anything; but on the other hand, if he can afford it, he should give freely.

Should "give freely" to whom and for what purpose? Aside from the questionable legal right to circulate through the mails the kind of propaganda contained in the letter from which I have quoted in an effort to secure contributions, it may well be asked whether anyone guilty of using it is worthy of being intrusted with the affairs of the Indians at Washington or elsewhere.

That wrongs will creep into the Indian Service, no matter how faithful, capable, and honest the commissioner may be, is inevitable. That such wrongs should be righted goes without saying. That an effort will be made to right them when called to the commissioner's attention is certain.

Most of the "policies" of the bureau are of statutory origin. The Indian problem is a difficult one and all good citizens should bend their efforts toward working out a solution in which the best interests of the Indians should be the primary consideration. The Indians have already been fully emancipated politically. There should be full emancipation from wardship, including the release of property to individual Indians, just as soon as this can be done with due regard to their highest interest. They should at all times be fully consulted about legislation affecting them and their wishes considered and respected. Every bill that affects the Indians in my district is sent out by me to the various tribes and reports asked for. I have found the suggestions made by the Indians with reference to such proposed legislation sensible and helpful. All the Indian bills I have personally introduced and secured the passage of have first been indorsed by the Indians in my State that were affected by the legislation.

In my judgment, however, a good deal of injury has been done to the Indian Service and to the Indians themselves by exaggerated and false statements as to alleged wrongs suffered by them. Criticism should be constructive and helpful. It ought to be entirely honest and unselfish.

Persons who send out misleading, exaggerated, and downright false statements and use them as a basis for exciting the public or the Indians for the purpose of getting funds—especially from the Indians, most of whom are poor—not only do a great injustice to the Indians but put themselves in a position where they have little influence either with the Indian Bureau or with Congress. These self-styled friends of the Indians do them a great wrong when, by false or misleading statements, they induce them to part with the little substance that often stands between them and want.

There are organizations and individuals that have done great and notable service for the Indians. Their efforts are to be commended. They are listened to by the Indian Bureau, are respected by Congress, and have won the lasting gratitude of the Indians. They are unselfish and honest and have as their chief purpose and aim the development and advancement of the Indians and the protection of their property rights, and are entitled to the support and encouragement of all good men and women. The Committee on Indian Affairs and Congress welcome all constructive suggestions and criticisms. The Indians who have appeared before our committee have been intelligent and have been of material aid in framing proper legislation.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL, 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. 8313. An act to allot lands to living children on the Crow Reservation, Mont.;

H. R. 9463. An act to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes;

H. R. 9872. An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February, 1925; and

H. R. 9875. An act to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service, and for other purposes," approved June 7, 1924.

SENATE BILLS REFERRED

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

S. 4052. An act authorizing James L. Borroum and Francis P. Bishop to bring suits in the United States District Court for the State of Kansas for the amount due or claimed to be due to said claimants from the United States by reason of the alleged inefficient and wrongful dipping of tick-infested cattle and giving said United States District Court for the State of Kansas jurisdiction of said suit or suits; to the Committee on Claims.

S. 2273. An act conferring jurisdiction upon the Federal District Court of the Western Division of the Western District of Tennessee to hear and determine claims arising from the sinking of the vessel known as the *Norman;* to the Committee on the Judiciary.

LEAVE OF ABSENCE

Mr. IRWIN, by unanimous consent, was given leave of absence indefinitely on account of illness in his family.

ADJOURNMENT

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House, under its previous order, adjourned until Monday, May 17, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for May 15, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency bill.

Scheduled for May 17, 1926

SPECIAL JOINT COMMITTEE

(10.30, room 347)

To investigate Northern Pacific land grants.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To regulate the distribution and promotion of commissioned officers of the line of the Navy (H. R. 11524).

EXECUTIVE COMMUNICATIONS, ETC.

513. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Justice for the fiscal year ending June 30, 1926, to remain available until June 30, 1927, amounting to $20,000 (H. Doc. No. 380), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GRAHAM: Committee on the Judiciary. H. R. 95. A bill to provide for the care of certain insane citizens of the Territory of Alaska; without amendment (Rept. No. 1206). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 8835. A bill to amend section 1112 of the Code of Law for the District of Columbia; without amendment (Rept. No. 1207). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 11946. A bill to increase the clothing and cash gratuity furnished to persons discharged from prisons; without amendment (Rept. No. 1208). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORROW: Committee on the Public Lands. S. 565. An act limiting the creation or extension of forest reserves in New Mexico and Arizona; without amendment (Rept. No. 1212). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORROW: Committee on the Public Lands. S. 4055. An act to authorize the Secretary of the Interior to issue patents for lands held under color of title; without amendment (Rept. No. 1213). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 12065. A bill to amend the interstate commerce act and the transportation act, 1920, and for other purposes; without amendment (Rept. No. 1214). Referred to the House Calendar.

Mr. JOHNSON of South Dakota: Committee on World War Veterans' Legislation. H. R. 12175. A bill to amend the World War veterans' act, 1924; without amendment (Rept. No. 1217). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WAINWRIGHT: Committee on Military Affairs. S. 3330. An act for the relief of Thomas G. Peyton; without amendment (Rept. No. 1209). Referred to the Committee of the Whole House.

Mr. FURLOW: Committee on Military Affairs. H. R. 1252. A bill for the relief of John Regan; with amendment (Rept. No. 1210). Referred to the Committee of the Whole House.

Mr. MORIN: Committee on Military Affairs. H. R. 7711. A bill to correct the military record of William W. Woodruff; with amendment (Rept. No. 1211). Referred to the Committee of the Whole House.

Mr. JAMES: Committee on Military Affairs. H. R. 9780. A bill to correct the military record of George A. Winslow; with amendment (Rept. No. 1215). Referred to the Committee of the Whole House.

Mr. HOOPER: Committee on the Public Lands. H. R. 11716. A bill granting to Northern Paper Mills certain islands in the Menomonee River; with amendment (Rept. No. 1216). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 10419) granting an increase of pension to Jennie E. Kennedy, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FRENCH: A bill (H. R. 12167) to extend the times for commencing and completing the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at or near the Newport-Priest River road crossing Washington and Idaho; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGG: A bill (H. R. 12168) granting the consent of Congress to the Pittsburgh, Fort Wayne & Chicago Railway

Co., its successors and assigns, to construct, maintain, and operate a railroad bridge across the Grand Calumet River; to the Committee on Interstate and Foreign Commerce.

By Mr. KURTZ: A bill (H. R. 12169) to authorize and empower the Secretary of the Treasury to convey certain property to the city of Altoona, Pa., for street purposes, and to acquire certain property by purchase or condemnation in said city of Altoona, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BLOOM: A bill (H. R. 12170) to amend the organic act of Porto Rico, approved March 2, 1917; to the Committee on Insular Affairs.

By Mr. McSWAIN: A bill (H. R. 12171) to regulate interstate commerce by requiring manufacturers engaged in interstate and foreign commerce to give written notice to the Federal Trade Commission of the closing of their plant; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 12172) permitting the Washington Market Co. to lay a conduit across Twelfth Street SW.; to the Committee on the District of Columbia.

By Mr. GIBSON: A bill (H. R. 12173) relating to the commitment of insane persons in the District of Columbia; to the Committee on the District of Columbia.

By Mr. NEWTON of Missouri: A bill (H. R. 12174) to provide for the payment of the awards of the Mixed Claims Commission, the payment of certain claims of German nationals against the United States, and the return to German nationals of property held by the Alien Property Custodian; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota: A bill (H. R. 12175) to amend the World War veterans act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. BULWINKLE: A bill (H. R. 12176) enabling postal employees who are ex-service men to utilize leaves of absence in order to attend the annual convention of the American Legion to be held in Paris, France, 1927; to the Committee on the Post Office and Post Roads.

By Mr. BLOOM: Joint resolution (H. J. Res. 255) authorizing the Postmaster General to make a just and equitable compensation for the past use in the Postal Service of a certain invention and device for the postmarking of mail packages, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Joint resolution (H. J. Res. 256) relieving posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines from liability on account of loss or destruction of obsolete rifles loaned by the War Department; to the Committee on Military Affairs.

By Mr. BLANTON: Concurrent resolution (H. Con. Res. 26) directing the Comptroller General of the United States to investigate the administration of St. Elizabeths Hospital since July 1, 1916, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM: Resolution (H. Res. 267) for the immediate consideration of H. R. 12063; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BACHMANN: A bill (H. R. 12177) granting an increase of pension to Elizabeth Johnson; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 12178) granting an increase of pension to Delana A. Lynch; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Missouri: A bill (H. R. 12179) for the relief of Thomas F. Sutton; to the Committee on Military Affairs.

By Mr. ESTERLY: A bill (H. R. 12180) granting an increase of pension to Amanda Good; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12181) granting an increase of pension to Susan A. Yeager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12182) granting an increase of pension to Kate Winter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12183) granting an increase of pension to Catharine Michael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12184) granting an increase of pension to Anna M. Swavely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12185) granting an increase of pension to Margaret M. Power; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12186) granting an increase of pension to Catharine A. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12187) granting an increase of pension to Sarah Rauch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12188) granting an increase of pension to Rebecca B. Quinter; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 12189) authorizing the Court of Claims of the United States to hear, determine, and render final judgment in the claim of Charles Eckland; to the Committee on Claims.

By Mr. ROY G. FITZGERALD: A bill (H. R. 12190) granting a pension to Thomas Hanna; to the Committee on Pensions.

By Mr. FORT: A bill (H. R. 12191) to reimburse Joseph Rosen, formerly of the United States Navy, for losses sustained while carrying out his duties; to the Committee on Naval Affairs.

By Mr. FREDERICKS: A bill (H. R. 12192) for the relief of Charles J. Murphy; to the Committee on the Public Lands.

By Mr. HOOPER: A bill (H. R. 12193) granting an increase of pension to Rosa DeGraff; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 12194) granting an increase of pension to Mary E. Malseed; to the Committee on Invalid Pensions.

By Mr. KIRK: A bill (H. R. 12195) granting an increase of pension to Elijah McWhorter; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 12196) granting an increase of pension to Sally Redhead; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 12197) granting an increase of pension to Jane Mullen; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 12198) for relief of persons who furnished labor, material, or money for the construction of the Barling bomber; to the Committee on Claims.

By Mr. SOSNOWSKI: A bill (H. R. 12199) granting an increase of pension to Ellen R. Lockwood; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 12200) granting an increase of pension to Permelia J. Runyan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12201) granting an increase of pension to Carrie P. Prentice; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 12202) granting a pension to Alexander Rivers, alias Alexander Miller; 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:

2188. By Mr. GALLIVAN: Petition of Ralph Hornblower, 60 Congress Street, Boston, Mass., recommending early and favorable consideration of House bill 7479, known as the migratory bird refuge and marsh land conservation bill; to the Committee on Agriculture.

2189. By Mr. LEAVITT: Petition of residents of Whitefish and Kalispell, Mont., favoring passage of Senate bill 2957, a bill to prohibit experiments upon living dogs in the District of Columbia or in any of the territorial or insular possessions of the United States, and providing a penalty for violation thereof; to the Committee on the District of Columbia.

2190. By Mr. McREYNOLDS: Petition protesting against Sunday observance bills (H. R. 7179, 7822, 10123, and 10311); to the Committee on the District of Columbia.

2191. By Mr. MOONEY: Petition of Equality League of Cleveland, protesting House bill 11489, the alien deportation bill; to the Committee on Immigration and Naturalization.

2192. By Mr. MORROW: Petition of Parent-Teachers Association, Chamberino, N. Mex., indorsing strict prohibition enforcement; to the Committee on the Judiciary.

2193. By Mr. O'CONNELL of New York: Petition of the North American Export Grain Association of New York, opposing the passage of the Haugen bill (H. R. 11603); to the Committee on Agriculture.

2194. Also, petition of James M. Motley, of New York City, favoring the passage of House bill 7479, game refuge bill; to the Committee on Agriculture.

2195. By Mr. WATSON: Resolutions passed at a citizenship mass meeting held at East Greenville, Pa., under auspices of Montgomery County Christian Endeavor Union, State of Pennsylvania, favoring campaign for the enforcement of national prohibition; to the Committee on the Judiciary.

2196. By Mr. YATES: Petition of the Rochelle Chamber of Commerce, Rochelle, Ill.; Gibson City State Bank, Gibson City, Ill.; Adams County Farm Bureau, Quincy, Ill.; Christian

County Farm Bureau, Taylorville, Ill.; Vermilion County Farm Bureau, Danville, Ill.; C. W. Brown, secretary, Logan County Corn Club, Lincoln, Ill.; Milan Men's Association, De Kalb County, Ill.; Saline County Farm Bureau, Harrisburg, Ill.; the Randolph County Farm Bureau, Sparta, Ill.; E. C. Coulter, president Sangamon County Farm Bureau, New Berlin, Ill.; Madison County Farm Bureau, Edwardsville, Ill.; Moultrie County Bankers' Federation, Sullivan, Ill., urging support of the Haugen agricultural bill (H. R. 11603); to the Committee on Agriculture.

SENATE

MONDAY, *May 17, 1926*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Lord, our God, though Thou dost find that the heaven of heavens can not contain Thee, yet Thou art condescending to dwell in the humble and contrite heart. We humbly beseech Thee at this time that each heart may be occupied by Thy presence, and thus as we begin the duties of the week it may be with the consciousness of Thy nearness and the guidance of Thy wisdom. Hear and help. For Jesus' sake. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 10, 1926, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2475. An act to amend an act entitled "An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia," approved June 7, 1924;

S. 2996. An act to validate payments for commutation of quarters, heat, and light, and of rental allowances on account of dependents;

S. 3440. An act to regulate the interstate transportation of black bass, and for other purposes;

S. 4070. An act granting the consent of Congress for the construction of a bridge across the Delaware River at or near Burlington, N. J.;

S. 4116. An act to extend the time for the construction of a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre to the Borough of Dorranceton, Pa.;

H. R. 292. An act to authorize the Secretary of Agriculture to acquire and maintain dams in the Minnesota National Forest needed for the proper administration of the Government land and timber;

H. R. 5242. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 5627. An act for the relief of George Turner;

H. R. 7482. An act to provide for conveyance of certain lands in the State of Michigan for State park purposes;

H. R. 8513. An act to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, Pa.;

H. R. 8937. An act permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black;

H. R. 9037. An act validating certain applications for and entries of public lands, and for other purposes;

H. R. 9371. An act for the relief of Merritt W. Blair, of Abbott, Harding County, N. Mex., or his transferees;

H. R. 10860. An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations and to increase the efficiency of the Lighthouse Service, and for other purposes; and

H. R. 10896. An act to provide for transfer of jurisdiction over the Conduit Road in the District of Columbia.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Bruce	Curtis	Fernald
Bayard	Butler	Dale	Ferris
Bingham	Cameron	Deneen	Fess
Blease	Caraway	Dill	Frazier
Borah	Copeland	Edge	Gerry
Bratton	Couzens	Edwards	Gillett
Broussard	Cummins	Ernst	Glass
Goff	La Follette	Pine	Stephens
Gooding	Lenroot	Pittman	Swanson
Greene	McKellar	Ransdell	Trammell
Hale	McMaster	Reed, Mo.	Tyson
Harreld	McNary	Robinson, Ark.	Underwood
Harris	Mayfield	Robinson, Ind.	Walsh
Harrison	Means	Sackett	Warren
Heflin	Metcalf	Schall	Watson
Howell	Neely	Sheppard	Weller
Johnson	Norbeck	Shipstead	Wheeler
Jones, N. Mex.	Norris	Shortridge	Williams
Jones, Wash.	Nye	Simmons	Willis
Kendrick	Oddie	Smoot	
Keyes	Overman	Stanfield	
King	Phipps	Steck	

Mr. CURTIS. I desire to announce the absence of my colleague [Mr. CAPPER] on account of a death in his family. I will let this announcement stand for the day.

Mr. BLEASE. The senior Senator from South Carolina [Mr. SMITH] is still confined to the hospital by illness. I ask that this announcement may stand for the day.

Mr. TRAMMELL. I wish to announce that my colleague, the senior Senator from Florida [Mr. FLETCHER], is detained from the Senate to-day by illness.

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

PRESIDENT'S ADDRESS AT WILLIAMSBURG, VA.

Mr. GLASS. Mr. President, on Saturday the President of the United States delivered quite a notable address at Williamsburg, Va., in which he approved in an exceedingly striking way a doctrine that needs to be brought to the attention of the country. I ask unanimous consent that the address may be printed in the CONGRESSIONAL RECORD.

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

The President's address is as follows:

ADDRESS OF PRESIDENT COOLIDGE AT THE COLLEGE OF WILLIAM AND MARY, WILLIAMSBURG, VA., MAY 15, 1926

Fellow Americans: No one who is interested in the early beginnings of America, or who is moved by love of our country, could come into these historic and hallowed surroundings without being conscious of a deep sense of reverence. In a land which is rich in the interesting records of the past, that portion of Virginia lying between Washington and Norfolk stands out unrivaled in important events and great names. Colonial importance, Revolutionary fame, the statesmanship of the early Republic, the great struggle for the supremacy of the Union—these epoch-making stories can not be told without relating the history of this locality and recounting the eminence of its illustrious sons. Very much of this narrative centers around the venerable town of Williamsburg and the old college of William and Mary.

Within this locality are Jamestown, where the English settlements began, and Yorktown, where English dominion ended. From Petersburg to Arlington stretches a land marked by many battle fields where the shedding of fraternal blood rededicated the Constitution. Here began the first preparation within our country for the establishment of a college. But the unfortunate interruption of hostile natives deferred the completion of the project, so that this institution ranks second in age with all our other universities. Here are the three capitals of this sovereign Commonwealth. If the work which is represented by the great names which have been associated with the growth and strength of this region were struck from the annals of our country, the richest heritage of progress and fame that ever glorified the actions of a people would sink to comparative poverty. What a wealth of distinguished figures from the time of John Smith down to the present day! I can not relate them all, these statesmen and soldiers, these founders and benefactors, who here lived and wrought with so much of enduring glory. They are represented by such stalwart characters as Patrick Henry, George Mason, Richard Henry Lee, Thomas Jefferson, and George Washington. Later came Monroe, Marshall, Madison, Randolph, and Harrison, with a long list of associates almost equally eminent in the history of our country. All Americans! It was into this region that Abraham Lincoln made his last journey from Washington.

This richest of all our historical settings made so great an appeal to me when I was approached by your two distinguished Senators, Mr. SWANSON and Mr. GLASS and your scholarly Governor MONTAGUE, whom I cherish as friends, honor for their devotion to their country, and esteem for the support they have often given when we have been mutually striving for sound government, bearing the invitation of your general assembly to participate in the observance of this day, which was supported by Col. Henry W. Anderson, a lawyer who has contributed so much of his great learning and talents to the service of his country, and emphasized by my former Secretary, Mr. Slemp, for many years a prominent leader in Congress, a man whose loyalty and devotion has imposed upon me so much obligation, that it seemed almost a patriotic duty to respond.

It is difficult to determine where or when the great movements in human progress had their original inception. Our life is complex and interwoven with thousands of varying motives and cross currents. One act leads to another. Yet certain actions stand out with so much

prominence against the background of the past that we are justified in saying of them that at least there is an event which is one of the beginnings of a new epoch. In accordance with this standard, we are altogether warranted in asserting that 150 years ago, on the 15th of May, 1776, formal action was taken in this city by a patriotic band of loyal Virginians, in their public capacity as servants of the common cause of the American Colonies, which had a most direct influence in leading to the Declaration of Independence.

It is not necessary at this time to relate again the various events that preceded and caused the American Revolution. The people of this Commonwealth had been constantly alert in the assertion and maintenance of their constitutional rights against British encroachment. Under the lead of Samuel Adams, the Boston town meeting in May, 1764, adopted resolutions against the proposed stamp tax, but the first formal defiance of that act after its passage came from Virginia, when in May, 1765, Patrick Henry introduced a series of resolutions in the assembly declaring that the only power of taxation lay in the people themselves or in their chosen representatives.

Again, in May, 1769, the House of Burgesses, numbering among its membership Washington, Henry, and Jefferson, condemned the laws of Parliament taxing the Colonies and requested other Colonies to join them in this protest. When the governor took the disciplinary measure of adjourning them, they met at the Raleigh Tavern, where Washington prepared a resolution pledging themselves to continue the policy of nonimportation, which was adopted. Also in March, 1773, the Virginia Assembly unanimously voted to establish a system of intercolonial committees of correspondence. As great an authority as John Fiske calls this "the most decided step toward revolution that had yet been taken by the Americans." This original suggestion appears to have come from the eminent divine, Jonathan Mayhew, who suggested to James Otis that the communion of churches furnished an excellent example for a communion of colonies. Again, late in 1772, a Boston town meeting had taken the lead in adopting a committee for correspondence for the Colony of Massachusetts, and Samuel Adams wrote to Richard Henry Lee, who had already expressed the same idea, urging a like action for Virginia. But in March, 1773, this Colony had already anticipated that course and enlarged upon it by making it an intercolonial committee. The convocation of such a body would result in the setting up of a Congress which would represent the united authority of the Colonies. Events moved rapidly, and in the closing days of 1775, incensed by his tyranny, a body of patriots, including John Marshall, drove Lord Dunmore, the governor, out of Norfolk, a place of 9,000 inhabitants, and took possession. In retaliation the governor set fire to the town by shells from the harbor on New Year's Day, and it was consumed.

Confirming my statement that it is difficult to date and locate the exact beginning of any event, we find that on the 22d of April the people of Cumberland County adopted a resolution prepared by Carter Henry Harrison instructing their delegates to the Virginia Convention, which was to meet in this town in May, "positively to declare for an independency" and to "promote in our convention an instruction to our delegates now sitting in Continental Congress to do the same." A like sentiment was being unofficially, though publicly, expressed in other counties. On the 20th of April Lee wrote from the Congress in Philadelphia to Henry to propose in the coming convention a separation of the Colonies from Great Britain.

It was on the 6th of May, 1776, that there assembled at Williamsburg a convention which was to become historic. It was presided over by Edmund Pendleton, who had opposed the stamp act resolution of Patrick Henry, but 11 years and the wanton cruelty of the royal governor had made a great change in the public opinion of the Colony and he had become a loyal supporter of independence. He now joined with Patrick Henry and Meriwether Smith in drafting resolutions to be proposed by Thomas Nelson, which refer to our country as "America," and after setting out the grievances that it had endured and "appealing to the Searcher of Hearts for the sincerity of former declarations" and a discussion in which Mason and Madison, to be known to future fame, took part, on the 15th of May, 1776, it was

"*Resolved unanimously*, That the delegates appointed to represent this Colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent States, absolved from all allegiance to, or dependence upon, the Crown or Parliament of Great Britain; and that they give the assent of this Colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a confederation of the Colonies, at such time, and in the manner, as to them shall seem best: *Provided*, That the power of forming government for, and the regulation of the internal concerns of each Colony, be left to respective colonial legislatures.

"*Resolved unanimously*, That a committee be appointed to prepare a declaration of rights, and such a plan of government as will be most likely to maintain peace and order in this Colony and secure substantial and equal liberty to the people."

The import of these resolutions was well understood in this locality. The event was marked that evening by a celebration, the ringing of bells, and the firing of guns. The British flag went down at the statehouse never to rise again, and in its place was flown the crosses and stripes, the temporary emblem of a new government.

These resolutions coming by the action of the duly constituted representatives of the largest of the Colonies were of an importance that can not be described as anything less than decisive in the movement for independence. Other localities held the same opinions, but this action of the Old Dominion was needed to make such opinions effective. Richard Henry Lee now had the assurance of the support of his constituents. On the 7th of June he moved the Congress—

"That these United States are and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown and that all political connection between them and the state of Great Britain is and ought to be totally dissolved; that it is expedient forthwith to take the most effectual measures for forming foreign alliances; that a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation."

This motion was at once seconded by John Adams, of Massachusetts. In this great crisis the Pilgrim and the Cavalier stood side by side united in the common cause of human liberty under constitutional law.

The excellence of the official documents of the Revolutionary period has often been remarked. It was such as to draw praise from the foremost British statesmen. In that respect the Virginia resolution of May 15 left little to be desired. They are characterized by a most admirable restraint, clear and logical in their presentation of facts, and clothed in appropriate language. They have a dignity and strength that are compelling and a courage and reserve that are convincing. They were composed by no ordinary men. Such a document could only be produced by character and culture. The influences which had flowed from the eighty-odd years of existence of William and Mary College can not be separated from the form and substance of these resolutions. Into their making went all that was best of some of her most distinguished sons.

What purpose had planted these institutions of learning in the American wilderness? What raised up Harvard that it might become the teacher of Otis and Hancock and the Adamses? What nourished William and Mary that it might furnish inspiration to Bland, to Wythe, to Nelson, and to Jefferson? These two seminaries had a common benefactor in the famous Robert Boyle. And when the wanton ravages of war reduced this once flourishing institution that had spoken so boldy in the cause of liberty to a state that left little but the vibrant tones of the college bell and the fervent prayers of a devout president, it was a distinguished son of Harvard, Senator Hoar, who pleaded her just cause with such eloquence in the Halls of Congress that a dilatory Government at last made restitution for a part of the damage done that this seat of learning might be restored to take its active place again as a citadel of truth and liberty and righteousness. No one can contemplate these events without a deep realization that those who participated in them were guided by an inspired vision.

It has not been the experience of history that political ideals spring into full development all at once. They are the process of the discipline of a long and severe training and constant and continued study. The Virginia resolutions in the fewest possible words map out a course of action and lay down the fundamental principles by which America has since sought to guide and direct its political life. The members of the convention, however, would not have argued that they were embarking upon a new theory of political relationship with so much assurance as they would have contended that they were adapting well-established theories of constitutional law to their own condition.

They declared for complete independence. They abjured both the Crown and the Parliament of Great Britain. Much emphasis has been placed on our political independence. It has become one of our most fundamental traditions of government, and rightly so. In our domestic affairs our sovereignty rises to its most complete state. We tolerate no outside interference. But as the devout Mayhew had seen the communion of colonies in the communion of churches, so these resolutions, even though unconsciously, recognized a communion of nations when they authorized the forming of foreign alliances. They could not escape the conclusion that as the individual derives his liberty from an observance of the law, so nations derive their independence and perpetuate their sovereignty from an observance of that comity by which they are all bound. As modern developments have brought the nations closer and closer together, this conclusion has become more and more unavoidable. While the rights of the citizen have been in no wise diminished, the rights of humanity have been very greatly increased. Our country holds to political and economic independence, but it holds to cooperation and combination in the administration of justice.

The resolutions did not fail to recognize the principle of nationality. It was the "United Colonies" that they proposed should be declared independent, and it distinctly authorized "a Confederation of the Colonies." This was an early and authoritative statement of the theory that this is all one country bound up in a common interest, destined to the

experience of a common fortune. It was the expression of a desire for a yet unformulated plan for a Federal Government. How great a part Virginia was to play in the final adoption of such a Government was by this action already indicated. When that great test came some years later it was the known wish of the great Washington, aided by the superb reasoning powers of Marshall, notwithstanding the direct opposition of Henry, that caused Virginia to ratify the Federal Constitution at a time which was again decisive in the formation of the Union. For a second time the action of this great Commonwealth was the determining factor in the destiny of America.

It is impossible to lay too much emphasis upon the necessity of making all our political action of the Federal Government harmonize with the principle of national unity. For many years now this course has been greatly impeded from the fact that those who substantially think alike have so oftentimes been unable to act alike. Our country ought to be done with all sectional divisions and all actions based upon geographical lines. Washington warned us against that danger in his Farewell Address. Experience has time and again demonstrated the soundness of his advice and the breadth of his wisdom. It would be difficult to suggest anything more likely to enhance the progress of our country than united political action in all parts of the Nation in accord with the advice of Washington for the support and maintenance of those principles of sound economics and stable constitutional government in which they so substantially agree. All sections have the same community of interests, both in theory and in fact, and they ought to have a community in political action. We can not deny that we are all Americans. To attempt to proceed upon any other theory can only end in disaster. No policy can ever be a success which does not contemplate this as one country.

The principle that those who think alike ought to be able to act alike wherever they happen to live should be supplemented by another rule for the continuation of the contentment and tranquillity of our Republic. The general acceptance of our institutions proceeds on the theory that they have been adopted by the action of a majority. It is obvious that if those who hold to the same ideals of government fail to agree the chances very strongly favor a rule by a minority. But there is another element of recent development. Direct primaries and direct elections bring to bear upon the political fortunes of public officials the greatly disproportionate influence of organized minorities. Artificial propaganda, paid agitators, selfish interests, all impinge upon members of legislative bodies to force them to represent special elements rather than the great body of their constituency. When they are successful minority rule is established, and the result is an extravagance on the part of the Government which is ruinous to the people and a multiplicity of regulations and restrictions for the conduct of all kinds of necessary business, which becomes little less than oppressive. Not only is this one country, but we must keep all its different parts in harmony by refusing to adopt legislation which is not for the general welfare.

The resolutions did not stop here. Had they done so, they would have been very far from comprehending and expressing the necessities of the American people. They went on to provide that "the regulation of the internal concerns of each colony be left to respective colonial legislatures." This was a plain declaration of the unassailable fact that the States are the sheet anchors of our institutions. If the Federal Government should go out of existence, the common run of people would not detect the difference in the affairs of their daily life for a considerable length of time. But if the authority of the States were struck down disorder approaching chaos would be upon us within 24 hours. No method of procedure has ever been devised by which liberty could be divorced from local self-government. No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. Of all forms of government, those administered by bureaus are about the least satisfactory to an enlightened and progressive people. Being irresponsible they become autocratic, and being autocratic they resist all development. Unless bureaucracy is constantly resisted it breaks down representative government and overwhelms democracy. It is the one element in our institutions that sets up the pretense of having authority over everybody and being responsible to nobody.

While we ought to glory in the Union and remember that it is the source from which the States derive their chief title to fame, we must also recognize that the national administration is not and can not be adjusted to the needs of local government. It is too far away to be informed of local needs, too inaccessible to be responsive to local conditions. The States should not be induced by coercion or by favor to surrender the management of their own affairs. The Federal Government ought to resist the tendency to be loaded up with duties which the States should perform. It does not follow that because something ought to be done the National Government ought to do it. But, on the other hand, when the great body of public opinion of the Nation requires action the States ought to understand that unless they are responsive to such sentiment the national authority will be compelled to intervene. The doctrine of State rights is not a privilege to continue in wrongdoing but a privilege to be free from interference in well-doing. This Nation is bent on progress. It has determined on the policy of meting out justice between man and man. It has decided to extend the blessings of an enlightened humanity. Unless the States meet these requirements, the National Government reluctantly will be crowded into the position of enlarging its own authority at their expense. I want to see the policy adopted by the States of discharging their public functions so faithfully that instead of an extension on the part of the Federal Government there can be a contraction.

These principles of independence, of the integrity of the Union, and of local self-government have not diminished in their importance since they were so clearly recognized and faithfully declared in the Virginia convention of 150 years ago. We may wonder at their need of constant restatement, reiteration, and defense. But the fact is that the principles of government have the same need to be fortified, reinforced, and supported that characterize the principles of religion. After enumerating many of the spiritual ideals, the Scriptures enjoin us to "think on these things." If we are to maintain the ideals of government, it is likewise necessary that we "think on these things." It is for this purpose that educational institutions exist and important anniversaries are observed.

Each generation has its problems. The days of the Revolution had theirs and we have ours. They were making an advance in the art of government which, while it has been broadened in its application, has not changed and does not seem likely to change from the fundamental principles which they established. We are making our advance and our contribution to the betterment of the economic condition and the broader realization of the humanities in the life of the world. They were mostly bent on seeing what they could put into the Government; we are mostly bent on seeing what we can get out of it. They broke the power of Parliament because its actions did not represent, were not benefiting the American public. They established institutions guaranteed under a reign of law where liberty and justice and the public welfare would be supreme. Amid all the contentions of the present day nothing is more important to secure the continuation of what they wrought than a constant and vigilant resistance to the domination of selfish and private interests in the affairs of government in order that liberty and justice may still be secure and the public welfare may still be supreme.

PETITIONS AND MEMORIALS

Mr. WHEELER presented the memorial of Caville Dupuis, president Indian Protective Association of Montana and president Flathead Tribal Council, and Robert J. Hamilton, vice president Indian Protective Association of Montana and president Blackfeet Tribal Council, which was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

THE INDIAN PROTECTIVE ASSOCIATION OF MONTANA,
Helena, Mont., March 15, 1926.

To the Congress of the United States now assembled.

GENTLEMEN: We respectfully call your attention to a statement of C. H. Burke, Commissioner of Indian Affairs, set forth commencing at the bottom of page 93 and ending on page 94 of the hearing before the subcommittee of House Committee on Appropriations, Interior Department appropriation bill, 1927, Sixty-ninth Congress, first session, which is as follows:

"Mr. BURKE. There was a bringing together of the white and the Indian races in a way that is going to create a very much better feeling. The States are going to have a greater appreciation of their responsibility. All of these questions, of course, were discussed. One of the things that is charged in these Montana resolutions is that we are taking Indians and exhibiting them at Government expense, having reference to that congress at Spokane and the Fort Union function which we attended, you will remember. I want to say for the benefit of the committee that the expense incident to that affair and the congress at Spokane was borne not by the Government, and even the expenses of the superintendents were paid by the committee in Spokane that had charge of the affair. No money of the Government was expended, yet that was one of the things that was charged in these Montana resolutions.

"Mr. CRAMTON. The Fort Union matter was not originated by the Government in any way?

"Mr. BURKE. Not at all.

"Mr. CRAMTON. That was purely a private undertaking.

"Mr. FRENCH. Right in that connection, are some groups of cities or communities using the Indians in a way that undermines the work of education and industry that you are trying to impress upon them? I mean through rodeos, giving them free entertainment, and taking them away three or four months at a time, etc.?

"Mr. BURKE. That is one of the worst things we have in connection with the solution of the problem. Many of this type of Indian that was at Helena have indulged in that very thing. These people have got the Indians to go off to rodeos, for instance, from the Blackfeet into Canada. At the present time there is an agitator from New Mexico who has got a group of Pueblo Indians in California. They are being made much of and funds are being solicited, ostensibly to pay counsel in connection with the work of Pueblo lands board, which was created, as you know, with counsel provided by the Government. But there is

this group dancing and singing and attending all kinds of shows and passing the hat around in order to get money.

"Those things should be discouraged. We have tried to discourage it in every way we could. For instance, take the Santa Fe leading newspaper. They came out and denounced this movement that I have just referred to. We gave out a news release. It went to the press of the country, and yet they are continuing. I do not know how much money they are getting, and nobody will ever know."

Mr. Burke, among other things states that "many of this type of Indian that was at Helena have indulged in that very thing." This statement is made deliberately by Mr. Burke for the purpose of propaganda and for the purpose of deceiving Congress. When Mr. Burke made this statement he knew it to be false and untrue, and in regard to the powwow held at Spokane and at Fort Union we would like to have the privilege of submitting facts surrounding these two celebrations, in regard to the activities of the various superintendents, and the source from which the money came to pay these show Indians to attend such celebrations. We know that Superintendent Campbell, of the Blackfeet Reservation, was very active in his solicitations and in inducing the Indians to attend both these powwows. Likewise, Superintendent Coe and his subordinates and adherents on the Flathead Reservation were very active in their solicitations in getting Indians to attend, especially the Spokane powwow, and, further, in regard to the charges which the Indians who assembled in Helena in November, 1925, we urgently request that we be permitted to present these charges in a manner which any other citizen is permitted to present such charges, and that the same be held before an unbiased board or tribunal, and that the facts not be permitted to be submitted by some investigator or tool of the Indian Bureau.

If Mr. Burke is free from all these charges, and if he is a sincere and honest man, he should welcome such an investigation in order that his record may be purged.

Mr. Burke has cast reflection upon the personnel of the delegates who assembled in Helena. We respectfully request at this time that Mr. Burke's statement be investigated and the personnel be compared with any other Indians or any other citizens.

The commissioner and assistant commissioner's statements through out the said hearing are generally untrue, incorrect, and false. We think it is time for an investigation to be made as to whether or not the commissioner and his assistant are telling the truth or if we are. If we be permitted to appear before an unbiased committee of your honorable body, we are quite sure that we can give you information which will have a wholesome effect upon the whole situation.

Every year we have been reading the "justifications" set forth by the commissioner and his assistant supporting the various appropriations asked of Congress for their various activities. These officers know when making these statements that they are wholly or partially untrue and false, and anyone familiar with the situation will know that such statements can be made for no other purpose than to deceive Congress and to perpetuate the Indian Bureau and its nefarious system.

Referring again to the Helena meeting, we desire to state that the Helena meeting was a strictly business meeting. There was no dancing, no rodeos, no dressing up of Indians in their costumes for exhibition, but the business was conducted in a white man's way in every respect.

We realize it is an easy matter for Mr. Burke to make one-sided statements, thinking that there would be no opportunity on our side to be heard. We deem this a very cowardly act. We feel sure that some good men in your honorable body at least will see our side of the matter, and sincerely trust that you will give us an opportunity to be heard.

Again, Mr. Burke lays some stress on the fact that a certain mixed blood of the Blackfeet Reservation dragged four or five tribesmen to Helena at this particular meeting. The facts are that all of these men were members and are members of the business council of the Blackfeet tribal council and were selected by the general council of the Blackfeet, and their expenses were defrayed by subscription by the general council of the Blackfeet Tribe. The action of the council who met here in Helena was approved by the general council of every tribe represented at Helena, and, in our opinion, it matters not whether these tribal councils were represented by 14 delegates or otherwise.

Further regarding the Blackfeet delegation, the fact is that on November 26, 1925, the general council of the Blackfeet Tribe met and indorsed the proceedings of the Helena meeting, and again on February 25, 1926, at a duly called meeting by the superintendent of the Blackfeet Reservation, the said council again indorsed the proceedings of the Helena meeting, and particularly requested the removal of Supt. F. C. Campbell and a field matron by the name of Ada Moore. Mr. Campbell is the superintendent who has put forth so much false propaganda in regard to the five-year program.

Respectfully yours,

CAVILLE DUPUIS,
President Indian Protective Association of Montana, and President Flathead Tribal Council.

ROBERT. J. HAMILTON,
Vice President Indian Protective Association of Montana, and President Blackfeet Tribal Council.

Mr. CAMERON. I present resolutions adopted by the Buckeye Valley, Ariz., Sunday schools in convention assembled, relative to prohibition, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

The following resolutions were adopted by the Buckeye Valley Sunday school convention at Buckeye, Ariz., May 2, 1926:

"Whereas it has come to our attention through the public press that the forces for evil throughout this Nation of ours are trying to modify and later repeal the eighteenth amendment to the United States Constitution; and

"Whereas the eighteenth amendment of that Constitution says, in part, 'The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from, the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited'; and

"Whereas in Article XXIII, section 1, of the State constitution of Arizona it says in part: 'Ardent spirits, ales, beer, wine, or intoxicating liquor or liquors of whatever kind shall not be manufactured in or introduced into the State of Arizona under any pretense': Therefore be it

"Resolved by the Buckeye Valley Sunday schools in convention assembled this 2d day of May, A. D. 1926, That we, as Christian people, are in favor of prohibition as set forth in the eighteenth amendment without any modifications, and we stand for the rigid enforcement of the same, and that we consider it our Christian duty to cooperate with, and give our hearty support to, the officials of our county, State, and Nation who are trying to enforce prohibition throughout our land: Therefore be it further

"Resolved, That a copy of these resolutions be sent to our United States Senators CAMERON and ASHURST and to our United States Representative, the Hon. CARL HAYDEN.

"Whereas our next general election for county and State officials will be held November 2, 1926: Be it

"Resolved, That the officers of each Sunday school here in convention assembled shall learn concerning the moral and Christian standing of the candidates for the said coming election, and shall so inform the members of their Sunday schools in order that the candidates who stand for truth and righteousness may be elected and thus make our State a power for right in this Nation.

"Whereas the future success of our Sunday school convention, and the Christian work in this valley, must rest on a spirit of unity among its colaborers: Therefore be it

"Resolved, That each member of this convention go to his home and take hold of his Sunday school work anew, and thus add new life to the great power for good which this organization is and may continue to be toward turning this valley to God; be it further

"Resolved, That the thanks of this convention be tendered to the citizens of this community for their hearty welcome and generous hospitality."

Mrs. J. W. PADGETT, *Chairman.*
Mrs. M. W. PACE,
J. A. HILL,
RALPH GREENWALD,
H. F. COUCH,
P. H. BENSON,
Committee on Resolutions.

Mr. EDWARDS presented the following telegram in the nature of a memorial, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD:

JERSEY CITY, N. J., *May 16, 1926.*

Hon. EDWARD I. EDWARDS,
United States Senator from New Jersey, Washington, D. C.:

From newspaper accounts we learn of the Federal authorities in activity in reference to conditions now existing in Mexico. We hereby voice vigorous protest of 55,000 members of the Hudson County Holy Name Federation and through you request that the proper Federal officials take immediate action to stop the atrocities now being committed in that country and further request that you, our New Jersey Representative, lead the way.

AUGUSTINE J. KELLEY,
Secretary.
WILLIAM J. WOOD,
President.
Rev. M. P. CORCORAN,
Diocesan Spiritual Director.

MELVIN L. BOWMAN

Mr. ROBINSON of Arkansas presented a paper to accompany the bill (S. 4225) for the relief of Melvin L. Bowman, heretofore introduced by him, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. BLEASE, from the Committee on Military Affairs, to which was referred the bill (H. R. 6226) for the relief of Edward N. Moore, reported it without amendment and submitted a report (No. 836) thereon.

He also, from the same committee, to which was referred the bill (S. 3483) to correct the military record of Bert H. Libbey, reported adversely thereon.

Mr. JOHNSON, from the Committee on Immigration, to which was referred the bill (S. 4251) to amend and supplement the naturalization laws, and for other purposes, reported it without amendment and submitted a report (No. 837) thereon.

Mr. MEANS, from the Committee on the Judiciary, to which was referred the bill (S. 4101) to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, as amended by the act of May 31, 1924, reported it without amendment and submitted a report (No. 838) thereon.

He also, from the same committee, to which was referred the bill (S. 4207) to amend and strengthen the national prohibition act and the act of November 23, 1921, supplemental thereto, and for other purposes, reported it with amendments and submitted a report (No. 839) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 11927) to authorize the Secretary of War to sell a portion of the Fort Ringgold Military Reservation, Tex., to Rio Grande City Railway Co., reported it without amendment and submitted a report (No. 840) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (H. R. 8657) to amend sections 226 and 228 of the Judicial Code, and for other purposes, reported it without amendment and submitted a report (No. 841) thereon.

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3655) to authorize the purchase by the city of Yamhill, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved July 9, 1916, reported it without amendment.

BILLS INTRODUCED

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

By Mr. CURTIS:

A bill (S. 4263) granting a pension to Anna Shifflet (with accompanying papers); and

A bill (S. 4264) granting a pension to Bridget Braunreiter (with accompanying papers); to the Committee on Pensions.

By Mr. CAMERON (for Mr. MCKINLEY):

A bill (S. 4265) granting a pension to Charles Diesron (with accompanying papers); to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 4266) granting a pension to Josephine G. Meyers; to the Committee on Pensions.

By Mr. GOODING:

A bill (S. 4267) to extend the times for commencing and completing the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at or near the Newport-Priest River road crossing, Washington and Idaho; to the Committee on Commerce.

By Mr. LA FOLLETTE:

A bill (S. 4268) for the relief of H. W. Krueger and H. J. Selmer, bondsmen for the Green Bay Dry Dock Co., in their contract for the construction of certain steel barges and a dredge for the Government of the United States; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 4269) for the relief of the Alaska Products Co.; to the Committee on Claims.

By Mr. CAMERON:

A bill (S. 4270) for the relief of the estate of Dr. R. A. Wilbur, deceased; to the Committee on Claims.

By Mr. NORBECK:

A bill (S. 4271) granting an increase of pension to Annie Hammer; to the Committee on Pensions.

By Mr. MAYFIELD:

A bill (S. 4272) for the relief of Sella Houghton (with accompanying papers); to the Committee on Claims.

THE COPELAND COAL BILL

Mr. RANSDELL. Mr. President, I ask unanimous consent to have printed in the RECORD an interesting article which appeared in the Evening World of New York last Saturday in favor of the Copeland coal bill.

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

The article is as follows:

[From the Evening World, Saturday, May 15, 1926]

THE COPELAND COAL BILL

By persistently hammering away on the necessity for action on the recommendations of the Coal Commission, Senator COPELAND has rendered a fine public service. In the closing weeks of the present session of Congress he has secured a favorable report from the Senate committee on his bill in which he has incorporated many of the recommendations of the commission. Many will regret the absence of the provision, in case of emergency, for the taking over of the mines for operation during the period of the crisis. This was recommended by the commission, but the fact that this does not meet with the President's approval has impelled the author of the measure to consent to its omission. Instead, provision is made for the appointment of a Federal fuel administrator, in a crisis, with various powers.

More important than anything else, perhaps, is the inclusion in the bill of the provision for the creation of a fact-finding body, under the jurisdiction of the Bureau of Mines. This body, composed of men of the right caliber, can go far toward the creation of a sound public opinion against which neither operators nor miners will care to go. The public has been gouged and outraged consistently and persistently and deceived somewhere as to the responsibility for poor service and high prices. Strikes have come and gone, taking their toll, with the public in a hopeless state of confusion as to the responsibility. With the facts as to wages, profits, cost of production, and working conditions on hand, it will be possible to reach an intelligent opinion of the merits of these controversies.

It is unfortunate that the measure reaches the Senate with a committee recommendation so late in the session. With the elimination of the provision for the seizure of the mines in an emergency, the feature which threatened the most determined opposition is removed. With the other provisions, the public is certainly in accord. If Congress wishes to meet the expectations of the people it has time for action, for there are indications that the session will drag on into late June. The public has waited long enough for action on the Coal Commission's recommendations. Since they were made the country has passed through a destructive shutdown of the hard-coal industry.

Congress should take time to act.

STORAGE OF WATERS OF THE PECOS RIVER

On motion of Mr. JONES of New Mexico, an amendment heretofore submitted by him intended to be proposed to the bill (H. R. 3862) to provide for the storage of the waters of the Pecos River, was taken from the table and referred to the Committee on Irrigation and Reclamation.

Mr. JONES of New Mexico submitted an additional amendment intended to be proposed by him to the bill (H. R. 3862) to provide for the storage of the waters of the Pecos River, which was referred to the Committee on Irrigation and Reclamation and ordered to be printed.

INTERNATIONAL RELATIONS

Mr. COPELAND. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Herbert Pell, jr., formerly a Member of Congress, on the subject "Tariffs, not armaments, are the cause of war."

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

ADDRESS BY HERBERT PELL, JR., AT A MEETING OF THE NATIONAL CONFERENCE ON INTERNATIONAL RELATIONS, UNDER THE AUSPICES OF THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE AND OF THE ACADEMY OF POLITICAL SCIENCE, BRIARCLIFF, N. Y., MAY 13, 1926

Mr. Pell spoke as follows:

"Wars among nations are not isolated phenomena; they are not fortuitous events; they do not come like meteors unheralded from another sphere. They are the consequences of the conditions which precede them, and those of us who wish to do anything to insure the continuance of a normal condition of peace must first study the circumstances which make wars possible and investigate the roots of the hostility which at last makes them inevitable. Like other menaces to the health, happiness, and contentment of humanity they can be permanently abolished only by the suppression of their causes, and it is well for us seriously to consider what these causes may be—to follow the same course that would be taken by a group of physicians anxious to prevent the outbreak of an epidemic or of underwriters attempting to lessen the danger from fire or from explosion. The doctors would not confine themselves to the generous distribution of medicines, but would consider the drainage and water-supply system of the community and the carrying possibility of the illness which they were investigating. The underwriters would not limit themselves to an effort to prevent the occurrence of sparks, but would try to prohibit the accumulation of vast stores of explosives in places where sparks might occur. In international relations sparks can not be prevented, but a great deal can be done to prevent the accumulation of static hatred ready to explode at the first excuse.

"There is in every part of the world a certain dislike of foreigners or of outsiders and of their customs. There is throughout this country a feeling of dislike for the city of New York. In the South you will find that little good will be said of the Yankees. New England despises the rest of the Nation. The average countryman does not care for his urban fellow citizens. This distaste seems innate, but unless it is artificially strengthened it will act more as a stimulant than as a menace to peace and prosperity.

"Naturally no one will arouse hatred merely out of deviltry, and certainly no expensive propaganda of hate, malice, and suspicion will be organized simply to vent spleen. No one will, just to satisfy spite, organize an anti-New York movement in the South or an antiwestern movement in New England.

"The dislike of foreign peoples is, however, fostered in this and in other countries by a very expensive organized propaganda supported by individuals who expect to get a profit from some special privilege granted by their government, usually in return for political contributions, but ostensibly to protect the people from some foreign bogey set up by the propagandist. It is perfectly obvious that no politician would dare to go to any community and seriously suggest the advisability of adding an extra 25 cents to the cost of every cotton undershirt worn throughout the United States in order to provide the mill owner with a handsome villa or because he prefers a Rolls-Royce to a Ford. Such talk will not go down, so we find every manufacturing district harried continually by cunning orators—the servants of the interests which hope to profit by hate—who are ready at all times to ply their venomous trade. A meeting at Lowell, Mass., will be told that the British, and especially the people of Yorkshire, are devils spending their lives in the effort to bring about the ruin of the fair city of Lowell. At the same time in England cotton barons, as desirous as our fellow countrymen of unconscionable profits, are employing men to stir up hatred against the contriving and extortionate Yankee.

"In a political speech delivered in London I heard the American steel manufacturers held up for public hatred as (at home) an eleemosynary group who, rather than have their men idle and see hardship among their employees, will continue to manufacture at a great loss to themselves. The English audience, however, was told that the charity of these philanthropists was strictly for home consumption and that once they looked across the border they took off their halos and put on horns and tails.

"In their black councils there was plotted the ruin of the city of Sheffield, the destruction of all the English iron industry, and the audience was seriously told that back of this nefarious scheme was the whole body of the American people. In fact, these English electors, without much knowledge of foreign affairs or of conditions in other countries, were told about the United States exactly what the people of the United States are being told about the people of England—what we hear about the city of Lyon if we go to a political meeting in Paterson, N. J., and what we would hear of Paterson if we went to a meeting at Lyon. It is quite true that none of these politicians and certainly none of those who employ them are consciously desirous of war, but each one feels that his own game can be improved a great deal at an apparently small public cost. They believe that a little local suspicion and dislike of foreigners is unlikely to have much effect one way or another on great international questions and it may be of real use in justifying their legislative servants in voting them special favors. Each one is doing his bit to add to that explosive mass of hatred, which, if it be great enough, may at the coming of a spark result in a tremendous catastrophe.

"In 1914, at Sarajevo, Franz Ferdinand was shot. Here was a little enough spark, but the explosives piled up by generations were so powerful that their detonation cracked civilization to the bottom. Only last year an American consul was killed in Persia by a mob. The Persian Government might have done much more than it did to protect our representative, but we did not see this country traversed by rioters ready to tear the flag from Persian consulates or to lynch itinerant carpet venders. As an excuse for war this was far more valid than was the murder of the archduke. The spark was bigger, but there was no explosive lying around. The American manufacturers of fur coats had not aroused the country to the iniquities of the unborn pauper lambs of Persia. Our people looked down on the Persians in much the same way that the Persians probably looked down on us, but this feeling had not been artificially stimulated by American manufacturers, and the incident passed off in peace.

"One of the most important lessons of the war which has hardly been considered by the public is that drawn from the unity of Germany and of Italy. Less than 50 years before 1914 Prussia and Bavaria were at war. The King of Bavaria in 1914 carried a Prussian bullet in his body. He came of a people and of a family which had been great in the councils of Europe at a time when the Hohenzollerns were nothing but petty robber barons and before Prussia existed, and yet after the most stunning defeat experienced by any great nation in recent years, with the shattering of all the governments of Germany, there has been no serious move to revive the independence of Bavaria, which had given queens to France at a time when the steward of the French King would have disdained a Hohenzollern bride and Emperors to the holy Roman Empire, when part of the imperial duty was to extend civilization into that territory that is now Prussia. Saxony had a proud history. The independence and courage of the Hanse towns illuminates the Middle Ages, and yet the new German nation survived its first government.

"Italy, too, remained one nation, and yet from the thirteenth century till the year 1860 in no Italian book will you find any reference to the Kingdom of Naples, or to the Kingdom of the Two Sicilies. It is always just 'The Kingdom'—'il regno.' The rulers of this kingdom had been emperors of the west when the counts of Savoy were petty French noblemen. The Republic of Venice was a great power in the world when Savoy was a den of thieves. The ancestors of the present King of Italy were no more than freebooters during that epoch which made Florence the financial center of Europe for centuries and the artistic inspiration of the world for all time; and yet, in all the stress of the present day do we find these small nations of Italy looking back to their separate glory? We find the same feeling of unity here that we find in Germany; and why? For more than half a century there has been no private profit to be gotten in Berlin out of popular hatred of Bavaria or of Hamburg. The manufacturer in Milan would gain nothing by hiring politicians to vilify Naples. The hatred which for centuries had made Germany and Italy little more than cockpits is dead.

"A Berlin brewer can not ask for protection against the pauper hops of the wicked Wittelsbach, so he either makes his beer cheap or good or goes out of business. The Chianti district can not rush to Florence and ask for protection against Asti. The result is that both in Germany and in Italy very real and independent nations have been actually fused together.

"On the other hand let us consider the case of Savoy and Nice. At the same time that Naples, which was one of the oldest countries in Europe, was added to the possessions of the House of Savoy, Savoy itself, whence sprang the race of the present Kings of Italy, and Nice, their first seaport, were ceded to France. To-day Savoy is as French as Touraine. Nice is as French as Marseille. The manufacturer of perfume at Cimiez, who 75 years ago would go to Turin and try to arouse hatred against the manufacturer who operated 20 miles west of his plant at Grasse, is to-day, in partnership with the man from Grasse, sending a representative to Paris to ask for some restriction on the trade of his erstwhile fellow-countryman from San Remo.

"It is worth remembering that what happened in the nineteenth century to Italy and to Germany is only what happened to every other nation in Europe at some earlier time. What is now France was once several independent states. Provence, Dauphine, Brittany, Burgundy, Aquitaine, Normandy, and Anjou were absolutely independent from France and from each other. Spain was divided into many little free peoples. These great states actually coalesced, and it is worth remembering that the nations of Europe become solidified within themselves only as they did away with internal economic barriers. So far as I know there are only two cases in which separate nations have been united and these economic barriers done away with that the union has not been permanent.

"I refer to Norway and Sweden, which remained together almost 100 years, and to Belgium and Holland, which separated after 15 years. Except for these cases no independent governments have ever coalesced and destroyed the tariff wall between them and ever afterwards willingly separated. On the other hand, no alliance in which the economic barriers between the contracting nations were maintained has ever outlasted the crisis which brought it into existence.

"We are forced to the conclusion that the greatest cause of war is the propaganda of hate engineered by manufacturers anxious for immediate private profit, gotten at they care not what ultimate cost. This private privilege to plunder they get from politicians not too proud to peddle percentages to contributors, and who hide their sordid traffic back of a smoke screen of hate raised for the purpose. Tariffs, not armaments, are the cause of war.

"We can study this question in the United States itself. This country to-day is the biggest free-trade area in the world. It is the largest and most divergent economic unit. We can afford much local self-government, because we know that our fundamental unity is not being attacked by subsidized propaganda. There is, of course, a natural and healthy regional rivalry. There are local prejudices which, within bounds, do more good than harm, but there would not be sufficient profit in arousing sectional hate to make it worth while for any business man to pay the expenses of such a campaign of propaganda. The man who runs a greenhouse in New York State can not go to Albany screaming for protection against the pauper sunlight of Florida. He will make no profit out of vilifying California. He must either run his business efficiently or get out. He can not arouse public hatred to cover his incompetence. That is the reason we do not have the press disseminating internal hate. It is the reason the subsidized politicians at every State capital are not occupied in abusing their

fellow countrymen, and the fact that suspicion of other nations can be made the source of private profit is the only reason why there is a regular organized propaganda of hatred and distrust here and in every country of the world."

LIMITATION OF DEBATE ON APPROPRIATION AND REVENUE BILLS

Mr. UNDERWOOD. Mr. President, I submit a resolution relating to a change in the rules and ask that it may be printed and lie on the table.

The resolution (S. Res. 225) was ordered to lie on the table, as follows:

Resolved, That the rules of the Senate be amended by adding thereto the following:

"Whenever a bill raising revenue or a general appropriation bill has been under consideration by the Senate for more than one calendar day, as relating to such bills, there shall be a motion for the previous question, which, being ordered by a majority of Senators voting, if a quorum is present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

"2. All such motions for the previous question shall, before being submitted to the Senate, be seconded by a majority by tellers, if demanded.

"3. When a motion for the previous question has been seconded, it shall be in order, before final vote is taken thereon, for each Senator to debate the propositions to be voted upon for one hour."

GRAIN-FUTURES EXCHANGES

Mr. SHIPSTEAD. I ask unanimous consent that Senate Resolution 222, relative to grain-futures exchanges, coming over under the rule from a preceding day may go over without prejudice.

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

PUBLIC BUILDINGS

Mr. FERNALD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6559) to provide for the construction of certain public buildings, 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 amendments of the Senate numbered 2, 3, 6, 7, 8, and 13, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 2 of the House bill, line 21, after "conveyance," insert ": *Provided, however*, That the Secretary of the Treasury is also authorized to acquire a site for a building for the Supreme Court of the United States"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert " : *Provided further*, That aside from land that may be acquired for a site for a building for the Supreme Court of the United States, and for enlarging the site of the Government Printing Office, or erecting a storage warehouse or warehouses, the sum of $50,000,000, hereinafter authorized for projects in the District of Columbia, shall be used exclusively for the purpose of acquiring by purchase, condemnation, or otherwise, south of Pennsylvania Avenue and west of Maryland Avenue, projected in a straight line to Twining Lake, such sites or additions to sites as the Secretary of the Treasury may deem necessary to provide such suitable office accommodations in the District of Columbia as are hereinbefore mentioned, of constructing adequate and suitable buildings for the furnishing of such office accommodations on said sites or additions to sites, or on sites already owned by the Government south of Pennsylvania Avenue and west of Maryland Avenue, as above mentioned, and of providing suitable approaches to said buildings, and beautifying and embellishing their surroundings as nearly in harmony with the plan of Peter Charles l'Enfant as may be practicable. Said buildings shall be so constructed as to combine high standards of architectural beauty and practical utility"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert " : *Provided further*, That all sketches, plans, and estimates for buildings shall be approved by the Secretary of the Treasury and the heads of the executive departments which are to be located in such building"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "when deemed by him advantageous the Secretary of the Treasury is authorized, in special cases, (1) to procure by contract the floor plans and designs of buildings developed sufficiently to serve as guides for the preparation of working drawings and specifications, or to employ advisory assistance involving design or engineering features"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: On page 3 of the Senate engrossed amendments, line 20, strike out "directed" and insert "authorized"; and on page 4 of the Senate engrossed amendments, line 7, strike out "Maiden" and insert "Malden"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: "which shall include a statement of the location of the buildings proposed to be erected, together with a limit of cost for the same: *Provided*, That in submitting such estimates the Secretary of the Treasury shall allocate the amounts proposed to be expended to the different States where buildings are found by him to be necessary, in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts: *Provided further*, That unless specifically provided for in the act making appropriations for public buildings, which provision is hereby authorized, no contract for the construction, enlarging, remodeling, or extension of any building or for the purchase of land authorized by this act shall be entered into until moneys in the Treasury shall be made available for the payment of all obligations arising out of such contract, and unless the said act making appropriations for public buildings shall otherwise specifically provide, as hereinafter authorized, appropriations shall be made, and expended by the Secretary of the Treasury, in accordance with the estimates submitted by the Bureau of the Budget: *Provided further*, That the act making said appropriations may provide for any other buildings contained in the annual report of the Secretary of the Treasury hereinafter provided for: *Provided further*, That the Secretary of the Treasury shall also, in addition to submitting estimates to the Bureau of the Budget as herein provided, make an annual report to Congress containing a statement of the location of all public buildings which he and the Postmaster General (where his department is involved) deem necessary to be constructed under the provisions of this act together with a limit of cost for the same: *Provided further*, That the foregoing provisos shall not apply to buildings or their modification heretofore provided for by act of Congress: *Provided further*, That at least two buildings shall be estimated for during the period covered by this act in each State for post offices with receipts of more than $10,000 during the last preceding year, for which post offices no public buildings have been provided"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert: : "*Provided*, That at least one-third of the expenditures outside of the District of Columbia during the fiscal year 1927 shall be for the buildings heretofore authorized and at least one-third of the expenditures for the fiscal year 1928, and at least one-third of the expenditures for the fiscal year 1929, shall be for a like purpose unless a less amount shall be necessary to complete all of such buildings: *Provided further*, That expenditures outside the District of Columbia under the provisions of this section shall not exceed the sum of $5,000,000 annually in any one of the States, Territories, or possessions of the United States"; and the Senate 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: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 8. That in the event local interests in the city of New Orleans, La., shall offer to advance funds for the acquisition of a site for a quarantine station in or near said city, the Secretary of the Treasury may, in his discretion, receive such funds and expend the same in the immediate acquisition of such site, and the Secretary of the Treasury is hereby authorized and directed to repay without interest, from appropriations available for the acquisition of such site, the amount so advanced or expended" and a period.

And the Senate agree to the same.

BERT M. FERNALD,
I. L. LENROOT,
F. E. WARREN,
CLAUDE A. SWANSON,
JAS. A. REED,
Managers on the part of the Senate.
RICHARD N. ELLIOTT,
W. F. KOPP,
FRITZ G. LANHAM,
Managers on the part of the House.

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

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on House bill 6559, for which the Senator from Maine asks immediate consideration.

Mr. ROBINSON of Arkansas. Mr. President, I do not desire to object to the present consideration of the report, but I think the Senator in charge of it should explain the effect of the report, as it relates to the various amendments incorporated by the Senate.

Mr. FERNALD. Mr. President, I am very glad to explain the differences which have been modified and ironed out by the conference committee. I am pleased to say that most of the amendments which were offered and accepted in the Senate have also been accepted by the House. I will go through the different amendments, there being some 14 in number, and very briefly state the differences.

The first amendment is, on page 1, line 5, to strike out the words "the Supreme Court of the United States," which was agreed to.

The second amendment is, on page 2, line 8, after the word "purposes," to insert the words "giving preference, where he considers conditions justify such action, to cases where sites for public buildings have heretofore been acquired or authorized to be acquired." That amendment was accepted in full.

At the bottom of page 2, line 25, after the word "conveyance," we added the following proviso:

Provided, however, That the Secretary of the Treasury is also authorized to acquire a site for a building for the Supreme Court of the United States.

Then, in the same line, following the word "*Provided,*" we struck out the word "*further*"; and on page 3, in line 1, after the word "acquired," we inserted the words "for a site for a building for the Supreme Court of the United States and," so that it reads now as follows:

Provided, however, That the Secretary of the Treasury is also authorized to acquire a site for a building for the Supreme Court of the United States: *Provided further,* That aside from land that may be acquired for a site for a building for the Supreme Court of the United States and for enlarging the site of the Government Printing Office—

And so forth.

Mr. SMOOT. Mr. President, I have not a copy of the bill before me. I wish the Senator when he makes an explanation of any changes would simply state how the bill would read with the changes made.

Mr. FERNALD. I have it here.

Mr. SMOOT. I wish the Senator would read it so we can know exactly what the changes are and what effect they have.

Mr. FERNALD. Does the Senator want me to read the entire bill as it has been agreed to by the conferees?

Mr. SMOOT. No; just the amendments as changed and as finally agreed to, so we may know how the bill stands as changed.

Mr. FERNALD. On page 1, in line 5, we have stricken out the words "the Supreme Court of the United States," as we make provision for them at the bottom of page 2, where there is the following proviso:

Provided, however, That the Secretary of the Treasury is also authorized to acquire a site for a building for the Supreme Court of the United States.

That is a part of the provision of amendment 4. It is an integral part of the provision for accommodations for the Supreme Court. Then at the top of page 3, after the word "acquired," we have inserted the words "for a site for a building for the Supreme Court of the United States and," which are a part of the same amendment.

Then at the end of line 3, page 3, after the word "hereinafter," we have stricken out the words "made available" and inserted the word "authorized," so that it reads "hereinafter authorized for projects in the District of Columbia."

In line 7, page 3, there was a typographical error. To correct that we have stricken out the word "protracted" and inserted in lieu thereof the word "projected."

Mr. BRUCE. Mr. President, I ask the Senator to read just a little more of the context showing the last change.

Mr. FERNALD. It refers to the language "south of Pennsylvania Avenue and west of Maryland Avenue, projected in a straight line," and so forth.

After the word "surroundings," in line 17, page 3, we struck out the following words:

It being the sense of the Congress that the haphazard practice heretofore pursued by the Government of erecting or purchasing buildings for such office accommodations north of Pennsylvania Avenue should come wholly to an end, and that suitable provision for such office accommodations in the future should.

That leaves it reading as follows:

Providing suitable approaches to said buildings and beautifying and embellishing their surroundings as nearly in harmony with the plan of Peter Charles l'Enfant as may be practicable.

Then in line 24, page 3, we have stricken out the words "be made in the territory south of Pennsylvania Avenue and west of Maryland Avenue, as above mentioned, and in such manner as to gratify the highest," and inserted words so as to make it read:

Said buildings shall be so constructed as to combine high standards of architectural beauty and practical utility.

Amendment No. 5: We have stricken out the words "head of each" and the words "departments which are to be" and inserted in lieu of the first "heads of the" and in lieu of the second "departments which are to be," so the sentence will read:

Provided, That all sketches, plans, and estimates for buildings shall be approved by the Secretary of the Treasury and the heads of the executive departments which are to be located in such building.

Mr. SMOOT. Mr. President, I do not want to object to any amendment that has been made; but if that provision is carried out, I doubt whether we will ever reach an agreement as to what kind of a building we shall have. If the commission has got to agree first, and then secure the approval of the Secretary of the Treasury, and then secure the approval of the heads of the departments which are to be located in such buildings, I am fearful that an agreement will never be reached upon a plan to be carried out in any reasonable time.

Mr. FESS. Mr. President, will the Senator from Maine yield to me?

Mr. FERNALD. I yield.

Mr. FESS. Does not that apply to buildings outside the District of Columbia? We intended that this provision should apply to buildings outside of the District of Columbia.

Mr. FERNALD. The amendment adopted by the Senate is in practically the same form.

Mr. LENROOT. It is the same as the Senate amendment?

Mr. FERNALD. It is the same as the Senate amendment, there being only a slight change of the language.

Mr. SMOOT. I do not want to interfere with the passage of the bill, but I really think that the provision gives a power to the heads of the departments that it is going to be hard to reconcile and get these buildings erected.

Mr. FERNALD. We felt that it was a reasonable thing to do. The provision simply changes the language, but not the meaning of the amendment as accepted by the Senate. Amendment No. 6, striking out certain language, was adopted by the conferees.

Mr. OVERMAN. What is amendment 6?

Mr. FERNALD. It is a Senate amendment striking out the following language in the bill as it came from the House:

and in case appropriations for projects are made in part only, to enter into contracts for the completion in full of each of said projects.

That is taken up later and included in another amendment that was suggested.

Mr. McKELLAR. I understand the Senator from Maine to say that that amendment has been agreed to in conference and that the language has been restored later in the bill.

Mr. FERNALD. It is taken care of later by another provision, which I shall soon come to in my statement in reference to the action of the conferees.

Mr. McKELLAR. Is that language restored?

Mr. FERNALD. It is provided for later, though, perhaps, not in the same language.

Mr. LENROOT. It is stricken out here and taken care of later by a provision that such authorization may be made in an act making appropriations in particular cases.

Mr. FERNALD. On page 5 Senate amendment 7 reads:

Under the direction of the Secretary of the Treasury.

That amendment was accepted by the House.

Senate amendment No. 8 is as follows:

(8) but in designing and constructing buildings under the provisions of this act preference shall be given, so far as practicable, to standardized types, and in other cases where possible and appropriate to commercial types modified to meet governmental requirements rather than to buildings of monumental character.

That amendment was adopted by the conferees.

Mr. McKELLAR. Do I understand the Senator from Maine to mean to say that that language was retained in the bill?

Mr. FERNALD. No; that goes out.

Mr. SMOOT. The House recedes from its disagreement to the Senate amendment.

Mr. FERNALD. The House agrees to that amendment.

The conferees have agreed to the Senate amendment No. 9, striking out the words:

The Secretary of the Treasury is authorized in his discretion (1) to procure advisory assistance when deemed advantageous in special cases involving design or engineering features.

The amendment the Senate inserted in lieu of those words was modified by the conferees, so as to read:

When deemed by him advantageous the Secretary of the Treasury is authorized, in special cases, (1) to procure by contract the floor plans and designs of buildings developed sufficiently to serve as guides for the preparation of working drawings and specifications or to employ advisory assistance involving design or engineering features.

Section 3 of the original House bill is stricken out entirely. This is the so-called Jones amendment, the provision inserted by the Senate being retained.

Mr. ASHURST. From what page of the bill is the Senator reading?

Mr. FERNALD. I am reading from page 8. In section 3, line 12, the language is changed to read: "The Secretary of the Treasury is hereby authorized." The word "directed" was printed instead of "authorized," being a typographical error.

On page 8, line 22, the word "Maiden" was changed to "Malden," which was another typographical error. Otherwise the provision remains as adopted by the Senate.

Mr. OVERMAN. I understand the Senator to state that the Jones amendment was changed. What was the change?

Mr. FERNALD. I have just stated the two changes, which were in the nature of typographical corrections. I will read the entire amendment as it now stands—

SEC. 3. The Secretary of the Treasury is hereby authorized to carry into effect the provisions of existing law authorizing the acquisition of land for sites or enlargements thereof, and the erection, enlargement, extension, and remodeling of public buildings thereon in the following cities: Juneau, Alaska; Globe, Ariz.; Prescott, Ark.; Red Bluff and San Pedro, Calif.—

I do not think it is necessary to read the names of the cities, as they are the same as are found in Document 28, which is precisely the Jones amendment.

On page 10, all of amendment No. 11 was stricken out and a new provision inserted, which reads:

which shall include a statement of the location of the buildings proposed to be erected, together with a limit of cost for the same: *Provided*, That in submitting such estimates the Secretary of the Treasury shall allocate the amounts proposed to be expended to the different States where buildings are found by him to be necessary in such a manner as to distribute the same fairly on the basis of area, population, and postal receipts: *Provided further*, That unless specifically provided for in the act making appropriations for public buildings, which provision is hereby authorized, no contract for the construction, enlarging, remodeling, or extension of any building or for the purchase of land authorized by this act shall be entered into until moneys in the Treasury shall be made available for the payment of all obligations arising out of such contract, and unless the said act mking appropriations for public buildings shall otherwise specifically provide, as hereinafter authorized, appropriations shall be made and expended by the Secretary of the Treasury in accordance with the estimates submitted by the Bureau of the Budget: *Provided further*, That the act making said appropriations may provide for any other buildings contained in the annual report of the Secretary of the Treasury hereinafter provided for: *Provided further*, That the Secretary of the Treasury shall also, in addition to submitting estimates to the Bureau of the Budget as herein provided, make an annual report to Congress containing a statement of the location of all public buildings which he and the Postmaster General (where his department is involved) deem necessary to be constructed under the provisions of this act, together with a limit of cost for the same: *Provided further*, That the foregoing provisos shall not apply to buildings or their modification heretofore provided for by act of Congress: *Provided further*, That at least two buildings shall be estimated for during the period covered by this act in each State for post offices with receipts of more than $10,000 during the last preceding year for which post offices no public buildings have been provided.

About the only change in that——

Mr. WILLIS. Mr. President——

Mr. FERNALD. I yield to the Senator from Ohio.

Mr. WILLIS. The Senator will recall that when the bill was before the Senate, in response to an inquiry by myself, he made a certain statement as to how the $15,000,000 appropriation and the $150,000,000 appropriation were to be expended. It is not necessary now to repeat that statement. I will merely ask the Senator whether the conferees have made any changes that would in any respect interfere with the statement he made at that time?

Mr. FERNALD. Not to interfere with the statement; but I will show in discussing the next amendment just how the money is to be distributed and expended. That will give the information.

Mr. WILLIS. I am very much interested in that feature of the bill.

Mr. FERNALD. The provision under the conference report is about the same as that which was accepted by us all; but, instead of making an estimate annually, which could not be done under the bill, because the money would not be available for expenditure annually, the bill now provides during the life of the authorization for at least two public buildings for every State in cities where the postal receipts are $12,000 or more.

The next amendment, I think, answers the question of the Senator from Ohio. I will begin back a little and read that section:

For the purpose of carrying out the provisions of this act the sum of $150,000,000, in addition to the amount authorized in section 3 hereof is hereby authorized——

Mr. ASHURST. Mr. President, will the Senator read the proviso before that on page 11?

Mr. FERNALD. That has been stricken out. The Senate receded from amendment numbered 11, and what I read a few moments ago was inserted in its place.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Arizona will yield to me for a moment, the print that he and I have been looking at and with which other Senators have been attempting to follow the reading is not in conformity to that which the Senator from Maine is using and which represents the conference agreement. There is, as I understand, no print of the conference agreement or of the bill as agreed to in conference.

Mr. FERNALD. No.

Mr. ASHURST. Mr. President, then I ask, did the conferees retain the provision requiring the Secretary of the Treasury to estimate for at least one building in each State each year until each State has had two buildings?

Mr. FERNALD. No. I will explain that to the Senator. Instead of estimating for one building annually, which could not be done with the appropriations available, we changed that so as to provide for two buildings during the term of the act. We found that one building could not be erected in each State each year.

Mr. ASHURST. Then the bill now provides for two buildings in each State during the life of the proposed act, which two buildings must be constructed in cities or towns not now having Federal buildings?

Mr. FERNALD. Exactly.

Mr. LENROOT. In cities having post-office receipts of more than $10,000.

Mr. ASHURST. In cities or towns having postal receipts of $10,000 or more annually.

Mr. SMOOT. Yes; postal receipts aggregating $10,000 or more.

Mr. ASHURST. That ought to be satisfactory.

Mr. SMOOT. Mr. President, I will say to the Senator from Arizona that there are small cities in the Western States which do not have postal receipts of $10,000 a year which ought to have post-office buildings, and this will cut every one of them out.

Mr. ASHURST. Possibly I should better make this frank statement: Under this bill the city of Globe, Ariz., will, in express terms, be provided with a Federal building. Many years ago the city of Prescott, Ariz., and the city of Tucson, Ariz., needed and, indeed, still need buildings; Congress provided for the acquisition of sites in those two cities; the sites were acquired and now belong to the Federal Government. It is my understanding that under the conference agreement the Secretary of the Treasury will, in due season, construct buildings in both Prescott and Tucson, because the sites have been procured there and neither city has a Federal building. The Secretary of the Treasury would not have the authority to reject Prescott and Tucson and construct a building where a site had not been procured.

Mr. FERNALD. Yes; the Secretary may select some other city if there is an emergency existing. It is not necessary that a site shall have been procured in order that an expenditure may be made under the $150,000,000 appropriation.

Mr. ASHURST. But in all probability he would so build in a city where no site had been procured when the cities in which sites had been procured required buildings owing to an emergency.

Mr. FERNALD. I think it is very likely that he would if an emergency existed there. This provision merely gives a preference.

Mr. ASHURST. When I give my approval to this bill I want it distinctly understood that under its operations there will be constructed a building at Globe, one at Prescott, and one at Tucson. I want it distinctly understood that the Congress, and the Senate especially, believe and agree that such shall be done.

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

Mr. ROBINSON of Arkansas. Mr. President, I do not want to obligate myself to see that the arrangement suggested by the Senator from Arizona shall be carried out.

Mr. ASHURST. I intend to try to bind the Senate, so far as I may, to three propositions, to wit, that there shall be a building erected at Globe, and at Prescott and Tucson.

Mr. LENROOT. Mr. President, will the Senator from Maine yield to me for a moment?

Mr. FERNALD. Yes.

Mr. LENROOT. I wish to say to the Senator from Arizona that as one member of the Committee on Public Buildings and Grounds I could not remain silent under that kind of a proposition. If this bill shall pass, the Senator, of course, will have to take his chances along with every other Senator in getting buildings under the terms of the bill. Under the terms of the bill as agreed upon, the Secretary of the Treasury, during the life of this authorization, will be required to estimate for at least two buildings in the State of Arizona, provided there are two cities in that State having postal receipts of $10,000 or more that do not now have public buildings.

Mr. ASHURST. The last clause of the Senator's statement is very important—"that do not now have public buildings." With that I should be content, and will say the conferees have done excellent work.

Mr. REED of Missouri. Mr. President, I think it would be wise now for the Senator from Arizona not to press this matter further.

Mr. ASHURST. I must press the matter this far, to wit: I want buildings constructed, and since I entered the Senate I have tried to have buildings constructed at Globe, Tucson, and Prescott.

Mr. FERNALD. I think I understand the Senator very well.

Mr. ASHURST. I will say that the pressure on me for buildings at these places has been constant owing to the need of buildings.

Mr. ROBINSON of Arkansas. Mr. President, the question is, Does the Senator from Arizona understand the Senator from Maine? That is the vital question.

Mr. ASHURST. I think I do.

Mr. FERNALD. I think he does very well.

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

Mr. FERNALD. Yes; I yield.

Mr. NEELY. I too have been subjected to pressure such as that of which the Senator from Arizona has spoken. And if the Senate guarantees that buildings will be constructed under the provisions of this bill in Arizona, I shall demand some guaranty that certain public buildings will be constructed in West Virginia. If they are to be guaranteed in one State, they ought to be guaranteed in all the other States.

Mr. FERNALD. Oh, if that were to be done it would be done in all of the States, or at least very many of them.

Mr. NEELY. The personal guaranty of the Senator from Maine will be sufficient, so far as I am concerned.

Mr. FERNALD. I understood very well what the Senator desired. I have not guaranteed anything.

Mr. ROBINSON of Arkansas. Mr. President, evidently the Senator from Arizona did not understand the Senator from Maine.

Mr. ASHURST. Mr. President, I understand that this conference report means—and I wish to be corrected if I am under a misapprehension—that the building at Globe, Ariz., will be completed.

Mr. FERNALD. Yes, sir.

Mr. ASHURST. That is set out in the bill.

Mr. FERNALD. That is set out and named in the bill.

Mr. ASHURST. Secondly, that during the life of this bill there will be constructed in each State at least two buildings at places that do not now have Federal buildings, and which have postal receipts annually of $10,000 or more.

Mr. SWANSON. Mr. President, the Senator is mistaken to this extent: The Senate amendment simply provides that estimates shall be made by the Secretary of the Treasury. The Secretary of the Treasury is compelled, in submitting these estimates each year to the Budget before this bill is completed, to submit estimates for at least two buildings in each State. Then it is left to Congress to determine what appropriations shall be made.

Mr. ASHURST. I understand.

Mr. FERNALD. The Senator has been one of the most valuable members of my committee, and I think he understands the situation very well.

Mr. NEELY. Mr. President, will the Senator yield for one more question?

Mr. FERNALD. Yes.

Mr. NEELY. Is the understanding stated by the Senator from Arizona accurate? Are two buildings to be erected in each State where there are no Federal buildings at the present time? And if that be true, I ask the Senator to inform us in what two cities in West Virginia buildings will be erected, because I am interested in that matter.

Mr. FERNALD. I have not any authority to determine where buildings will be erected. The Senator understands very well that I have no authority to do that.

Mr. LENROOT. Mr. President, I do not think there should be any misunderstanding about the matter. There is no guaranty of any kind that buildings will be erected anywhere, except those hereinbefore authorized; but the Secretary will be required to make estimates for two buildings in each State, and then it will remain with Congress to determine whether or not they shall be erected.

Mr. SWANSON. Mr. President, to make it clear, I will read the provision. This is the Senate amendment with only a few slight changes:

> *Provided further*, That at least two buildings shall be estimated for during the period covered by this act in each State for post offices with receipts of more than $10,000 during the last preceding year, for which post offices no public buildings have been provided.

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

Mr. FERNALD. Yes; I yield.

Mr. MAYFIELD. Permit me to say to the distinguished Senator from Arizona and the very able Senator from West Virginia, who are expecting to have post-office buildings constructed in their States in the near future under this measure, that they are doomed to disappointment. This measure will be vetoed by President Coolidge, and I will tell the Senate why.

I hold in my hand the wonderful speech of our President, delivered at Williamsburg, Va., on Saturday. In speaking against the centralization of power and in favor of State rights the President said:

> No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. Of all forms of government, those administered by bureaus are about the least satisfactory to an enlightened and progressive people.

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

Mr. MAYFIELD. In just a moment.

> Being irresponsible they become autocratic; and being autocratic they resist all development. Unless bureaucracy is constantly resisted it breaks down representative government and overwhelms democracy.

It is the one element in our institutions that sets up the pretense of having authority over everybody and being responsible to nobody.

Surely the President, after committing himself to these great principles, must necessarily veto this measure when it reaches him.

Mr. CARAWAY. Mr. President, I thought maybe the President had in view his experience with the Tariff Commission and the Federal Trade Commission.

Mr. MAYFIELD. No; I think he had the Elliott post office measure in mind when he said bureaucracy must constantly be resisted, because it breaks down representative government and overwhelms democracy, because the Elliott post office measure is the very personification of bureaucracy. I trust these distinguished Senators will not be disappointed when the President vetoes the post office bill.

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

Mr. FERNALD. Yes.

Mr. KING. Does not the Senator from Texas heartily approve of those words of President Coolidge about the evils and tyranny and oppression of bureaucracy?

Mr. MAYFIELD. I certainly do. He is to be congratulated upon having so accurately stated the imperishable principles of the Democratic Party.

Mr. KING. I think they are to be commended, and I commend the President for uttering that fine Democratic doctrine; and if he will execute the views which he has expressed, and the Democrats here and in the other honorable body of the legislative branch of the Government will adhere to those views, we will have a better Government than we now have; we will separate thousands of men from the public service; we will abolish more than 40 governmental bureaus and organizations; and we will have a little more of local self-government, so essential for liberty.

Mr. REED of Missouri. Mr. President——

Mr. FERNALD. I yield to the Senator from Missouri.

Mr. REED of Missouri. Since we have wandered a little afield from the conference report, I should like to say that I have been quite thrilled myself by this expression of the President, and by the unanimity and applause with which it is received; but I am wondering whether we may not be disappointed as I was disappointed on Saturday afternoon when the ceremonies which took place in front of the Capitol, to the delight of so many people, were performed; and I want to utter a protest, and, as usual, make a complaint.

Mr. President, the ceremonies would have been delightful had they been reserved for an appropriate time. This session of Congress has engaged in everything except a snake dance, and the climax ought to have been reserved for a final chapter.

Induced by false representations made to the Senate and repeated on the floor of the Senate, we started the United States on a journey into the World Court and the infamies, wars, and embroilments of Europe, only to be notified later that the Council of the League of Nations must first pass upon our qualifications for membership. We reduced taxation for the benefit of the ultrarich. We turned back to great estates millions of dollars justly due the Government. At the demand of international bankers we donated billions of dollars to European countries and have obtained in return only their contumely, hatred, and scorn. We have increased the army of Federal spies, sneaks, and snoopers, and turned them loose on the American people. We denounce bureaucracy in Virginia and help establish and enthrone it in the city of Washington.

The snake dance, Mr. President, ought to have been reserved as a grand finale of the legislative atrocity known as the Sixty-ninth Congress. Pulling it off at this time indicates an utter lack of appreciation of the dramatic and is an exhibition of abominable taste. Nothing could be more dismal than a contemplation of the anticlimax of windy eulogies of the Coolidge administration, which we are yet doomed to hear.

Mr. FERNALD. Mr. President, the next amendment, on page 12, amendment No. 12, caused us, perhaps, as much anxiety in the conference as anything. In trying to make a fair distribution of the $15,000,000 for projects already authorized, some of us felt that it ought to cover a period of five years, some two years. We finally modified it and agreed to make it three years, so that instead of the amendment that was accepted in the Senate—

Provided, That at least 50 per cent of the expenditures outside of the District of Columbia during the fiscal year 1927 shall be for the buildings heretofore authorized and at least 50 per cent of the expenditures for the fiscal year 1928 shall be for a like purpose—

The House receded, and we inserted the following:

Provided, That at least one-third of the expenditures—

And so forth. Again, at line 6:

One-third of the expenditures for the fiscal year 1928 and at least one-third of the expenditures for the fiscal year 1929—

So that we will be three years in completing those projects, instead of two.

The last amendment is of local interest only.

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

Mr. FERNALD. I yield.

Mr. LENROOT I do not think the Senator is quite accurate. We may be more than three years in completing those projects, but at least one-third of the expenditures each year must be used for that purpose; but the total expenditures for three years outside of the District of Columbia might not aggregate the full amount of $15,000,000, plus the appropriations heretofore made.

Mr. FERNALD. I thank the Senator. That is correct.

On page 15 there is an amendment of local interest only to the State of Louisiana. Section 8, amendment 14, is stricken out and the following inserted:

SEC. 8. That in the event local interests in the city of New Orleans, La., shall offer to advance funds for the acquisition of a site for a quarantine station in or near said city, the Secretary of the Treasury may, in his discretion, receive such funds and expend the same in the immediate acquisition of such site, and the Secretary of the Treasury is hereby authorized and directed to repay without interest, from appropriations available for the acquisition of such site, the amount so advanced or expended.

In the city of New Orleans public-spirited citizens have agreed to make this purchase and to be reimbursed by the Government without interest.

Mr. OVERMAN. Is that the last amendment?

Mr. FERNALD. That is the last amendment.

Mr. OVERMAN. What became of the amendment which provided for the situation mentioned by the Senator from Ohio [Mr. FESS] and myself, where a building erected by the Government is situated in the heart of a city, and would on sale bring as much money, probably, or more, than it would cost to get another site and put up a building?

Mr. FERNALD. That is in the bill. There is no change in that.

Mr. EDGE. Mr. President, without going into detail, I want to see if I am correct in my understanding of the bill reported by the conferees. The committee have brought forward, as it were, all acts previously passed providing for public buildings, and included in this general act the same authority that appeared in past acts.

Mr. FERNALD. That is absolutely correct. I move that the report be agreed to.

Mr. HARRISON. Mr. President, politics makes strange bedfellows. There is little wonder that there is "fear and trembling" upon the part of some of my colleagues on the other side of the aisle at this particular time. Some primaries have passed and others are approaching.

We were led to believe some weeks ago by the spokesman of the White House, known otherwise as President Calvin Coolidge, that he did not intend to take any part in the Republican primaries; that he intended to hold himself aloof from that practice; that the will of the voter, untrammeled, should prevail. Out in Illinois they had quite a primary contest recently. It was sharply drawn. Much interest was manifested. Many speakers from the outside went in and poured forth their volleys of oratory. But the President looked on from afar. He remained, it is said, cool, calm, and unmoved. He refused to be brought into the contest, notwithstanding one of the candidates seeking renomination had been true and faithful to the President's many policies. He had stood by the President in and out of season. He had been one of the pillars upon which the President had relied. A man of charming address, and a most able Senator. But the President saw him go down to defeat championing and defending Coolidge policies.

Then the primaries came on in Indiana, the home of my distinguished friend, the senior Senator, JIM WATSON. The papers carried notices from Indianapolis and other parts of the State that the administration was lined up against JIM; that this strong friend of the administration, Albert Beveridge, and that strong friend of the administration, Will Hays, and this and that fellow, leaders of the Republicans in the State, from the Postmaster General down, were opposed to the renomination of the senior Senator from Indiana. No doubt appeals were made to the White House to call these gentlemen off and render some assistance to Senator WATSON in his fight for renomination, but those appeals were ignored.

Still reports came from the White House spokesman that he was going to take no part in Republican primary fights. The

returns were counted, and it was found that Senator WATSON had been renominated by a magnificent majority. As to whether it was because of his high popularity with the Republican voters of Indiana, or because of the disfavor in which the Coolidge administration was held by the Republicans of Indiana, we are left to surmise, but, anyway, the President still clung to the policy of refusing to take part in a Republican primary fight.

Here is our friend from Oregon, Mr. STANFIELD, who comes up for renomination some time this week, having the fight of his life, four or five fellows after his place, and no doubt appeals have gone to the White House. But still the White House spokesman stands aloof and refuses to give a letter of indorsement to the junior Senator from Oregon.

Here is our charming and Chesterfieldian friend from California, SAM SHORTRIDGE, coming up for renomination with a hard fight on his hands. None has been more faithful to the administration than SHORTRIDGE. No doubt appeals have been made to the White House to give him a letter of indorsement, but none has come.

There is my charming and smiling friend, the junior Senator from Nevada [Mr. ODDIE]. He is up against a stiff fight for renomination. An ex-Congressman, one who was popular when he was in the House, is seeking his toga. There has been no Senator more loyal to the administration than the junior Senator from Nevada, but I doubt whether he has received a letter of indorsement or a word of encouragement from the administration in his primary fight.

Mr. SHORTRIDGE entered the Chamber.

Mr. HARRISON. My friend the junior Senator from California has just entered the Chamber. I am fearful that I might misstate the facts. I was just telling the Senate that the Senator has a stiff fight in California. He will not admit that. I withdraw that. He has *a fight* in California for renomination.

Mr. KING. A skirmish.

Mr. HARRISON. Yes; a skirmish. He has been steadfast in his devotion to the administration. He will not deny that. He admits that by the bowing of his head. No letter of indorsement from the White House has come telling the people of California that he has been faithful to the G. O. P. and that he should be returned. I say that that is a little act of ingratitude, and I am wondering how my friend from California, my friend from Nevada, my friend from Oregon, my friend from Indiana, and my friend from Illinois who went down to defeat feel when they read in the Post of Saturday morning what I am about to read to the Senate.

It is suggested to me that I should mention my friend from Ohio [Mr. WILLIS]. The President did dabble in that Ohio situation just a little bit, because he did deport Carmi Thompson as far as he could get him away from the senatorial fight in Ohio [laughter]; but outside of that he has not taken any part in it.

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

Mr. HARRISON. I yield.

Mr. NEELY. May I inquire if the Senator has any information as to whether the President has become active in the primary fight in New Hampshire?

Mr. HARRISON. I shall get to that in a moment.

Mr. NEELY. From which State the distinguished President pro tempore of the Senate comes.

Mr. HARRISON. I do not think the President has taken any part up in New Hampshire against the distinguished Senator from New Hampshire [Mr. MOSES]. Neither do I think any letter of indorsement has been forthcoming. That Senator—able, glib of tongue, smart that he is—has been true to his Republican trust and loyal to the administration.

There is a fight in Pennsylvania. That is a real contest between three real Republicans, men who are sent throughout the country in every election campaign to make campaign speeches; gentlemen who have gone into "their jeans" regularly and contributed generously to the Republican Party, one of whom, at least, has kept the fires burning and formed an organization in Philadelphia second to none in the whole United States, and when the call comes he always delivers by his usual 150,000 to 200,000 majority. I refer to Mr. WILLIAM VARE. As a Member of Congress from Pennsylvania Mr. VARE, without exception, has been true to this administration. He has praised Calvin Coolidge and his policies on the floor of the House and on the hustings.

Governor Pinchot was the man who was sought out by President Coolidge to go and settle the great coal strike, thereby giving his indorsement to Pinchot for the favors he extended.

Here is Andrew Mellon. If there are two spokesmen of the White House, Mellon is the other spokesman. Never before in his life had he made a political speech, he said.

Mr. CARAWAY. He could say that again. [Laughter.]

Mr. HARRISON. Yes; he could say that again. But he wrote his speech, or somebody wrote it for him. It is not stated whether he memorized it or not, but he journeyed forth to Pittsburgh and made a speech, representing the administration. This is what the Washington Post says about it:

> PITTSBURGH, PA., May 14.—Renomination and reelection of Senator PEPPER, of Pennsylvania, was made a matter of the indorsement of the Coolidge administration in an address by Secretary of the Treasury Mellon before a mass meeting here to-night.
>
> Praising the achievements of President Coolidge, Secretary Mellon declared there still are "many perplexing problems" to be solved, and "we, in this Republican stronghold of Pennsylvania, can do no less than give to President Coolidge our indorsement and backing in his efforts to complete the work which he has begun."
>
> Secretary Mellon praised Senator PEPPER as a "staunch supporter of the administration, enjoying the confidence and esteem of the President and party leaders in Washington, which he had won by his ability."

Further, he said:

> In Senator PEPPER the State has a representative who has staunchly supported the policies of the Republican administration at Washington. During his four years of service in the Senate he has been consistent in his support of the principles proclaimed in our party's platforms of 1920 and 1924. He has stood loyally by the administration in its efforts to carry out the pledges of the party, and he enjoys the confidence and esteem of President Coolidge and the party leaders at Washington.

No utterance of anyone could carry greater weight or more fittingly express the views of President Coolidge than Mellon did in that speech. So at last he has done for PEPPER what he refused to do for my friend from Indiana [Mr. WATSON], my friend from Nevada [Mr. ODDIE], my friend from California [Mr. SHORTRIDGE], my friend from Illinois [Mr. MCKINLEY], and the Senators from other States coming up for renomination.

Mr. CARAWAY. Did I understand the Senator to say he had "done for" PEPPER? [Laughter.]

Mr. HARRISON. Yes; PEPPER is "done for."

So, Mr. President, in Pennsylvania, in sending Mellon and Secretary Davis and Mr. Mellon's mentor, the junior Senator from Pennsylvania [Mr. REED], he has thrown every weight of his influence in behalf of PEPPER into the campaign. Of course, it remains to-morrow to see whether or not the Republican voters of Pennsylvania will permit the dictation of the White House to carry, and whether or not this act of ingratitude upon the part of the administration toward Pinchot and VARE will be indorsed by them.

Then we read in this morning's paper another incident. President Coolidge goes to New England and plays a part there. New England is close to the President. Here is my friend from Iowa [Mr. CUMMINS], who has made a great Senator here, able, as everybody knows, reflecting great credit upon the State of Iowa. He has a fight on in his State. Has any letter of indorsement come to him from the White House? No. I suppose he has made no appeal. He is ready to stand upon his record.

Then here is my friend, the senior Senator from Massachusetts [Mr. BUTLER]. He has a fight coming on. There is no contest in his primaries, because the Republicans up there know how to keep down contests in the primaries, but he has a real fight coming in the election. The papers say that the President will take part in the Massachusetts campaign. They began that some time ago. They have started that already. They started it when the White House, at the suggestion of the senior Senator from Massachusetts, turned down the recommendation of the Department of Justice to appoint a judge on the District of Columbia Municipal Court and named one of the Senator's designations. So they have begun to carry on already.

But in the morning paper is the most startling news that we have had. No wonder Senators on the other side of the aisle are trembling, those who have no opposition, who perhaps once or twice have voted against the administration on some measure. There is the distinguished Senator from Vermont [Mr. DALE], able and courageous. He had independence enough and sufficient self-respect and courage to stand up against the President and vote to give a bonus to the soldier boys when they needed it. He turned down every kind of appeal that was made to him to shift his position and to betray his promise to those boys. Again, when he rose up and voted against the President and to override his veto in the matter of increasing the salaries of the postal employees he perhaps made the President a little angry. He was sliding along with no opposition,

but they got it out on him, and now he is to have, as the papers say, a fight. He is to be punished in Vermont if the President can have his way. The morning paper said:

Stickney enters race against Senator DALE. Making fight for Coolidge policies, says former Vermont governor.

And yet with those two exceptions no Republican in this body has been more loyal to the administration than has the distinguished junior Senator from Vermont.

Ludlow, Vt.

Charming name, "Ludlow."

Former Gov. William W. Stickney, of Ludlow, partner of Attorney General John G. Sargent and intimate friend of President Coolidge and his late father, to-night announced his candidacy for the Republican nomination for United States Senator from Vermont at the September primaries.

"Considerations which would appeal to any loyal Vermonter" led him to change his mind after repeated refusals to become a candidate, the former governor said.

It does not say to whom he refused, but constant appeals to him to go in the race are made, and he finally bows and gets in.

Mr. CARAWAY. Incidentally, he does not say who appealed to him, either.

Mr. HARRISON. The article continues:

"I am in sympathy with the wise statesmanship of President Coolidge and the sane policies for which he stands. Because I believe in Calvin Coolidge and in the greatness of the work which he is doing for good government and world construction, I am willing to make this fight."

Mr. Stickney is said to share with Attorney General Sargent the President's implicit confidence. It was he whom President Coolidge chose to settle his father's estate as administrator and it was on his staff that John C. Coolidge received the honorary appointment of colonel. His entry in the Vermont senatorial campaign is taken as an indication of an impending fight to oust Senator PORTER H. DALE, whose vote for the soldiers' bonus against the administration veto two years ago and resultant independent attitude toward the administration—

And so forth.

Mr. President, if Calvin Coolidge adheres to his usual policy of inconsistency, he will sign the pending nefarious, bureaucratic melon-patch public building bill, notwithstanding his wise words spoken at Williamsburg last Saturday for State rights and against bureaucracy in government.

Mr. McKELLAR. Mr. President, I do not know whether we are going to have a roll call on agreeing to the conference report or not, and therefore, before it is voted on, I want my views as to the matter to be made a part of the RECORD.

I shall not vote for the conference report, but shall vote against it. I want to say in all frankness that I think the bill has been greatly improved by the Senate amendments, but it still gives a tremendous power to the Secretary of the Treasury—too much power—and for that reason I shall vote against it. It creates another great bureau within the Treasury Department, one of its most important bureaus. If the policy shall be continued in the future, this bureau will spend millions and millions of dollars of the people's money, which only the Congress ought to control. For these reasons I am opposed to the conference report and, when it comes to a vote, shall vote against its approval.

Mr. JONES of New Mexico. Mr. President, I wish to say just a few words regarding the conference report. As I said on the floor of the Senate some days ago, I think the bill will be a great disappointment to the country. It contemplates the expenditure of about $175,000,000. The rate of expenditure controlling appropriations heretofore made by Congress for the construction of certain buildings is fixed in the bill. We will not be able to expend over $25,000,000 a year and consequently it will be seven years or, as the architect of the Treasury Department stated the other day as his estimate, it will be about seven and one-half years before the $175,000,000 will be expended. I do not think that is doing enough to satisfy the country in the matter of public buildings. Practically nothing has been done since 1913 looking toward any new buildings. The vast array of buildings named in the bill have been awaiting construction since that time, 13 years ago. Now the country has advanced, its demands have increased, and I am sure that there will be great disappointment throughout the country.

However, I am going to vote for the conference report. It is a start. I do it with the hope that at the next Congress the amount of the annual expenditures for this purpose may be increased until the whole $175,000,000 shall have been expended. I am hoping that may be done, because I believe we will realize that the limitation which has been put upon the Congress is decidedly too low. I understand that the limitation of $25,000,000 annually was fixed at the suggestion of the President. We have been led to believe that that was the maximum amount which he would permit or indorse, and in order to meet the Executive views Congress submitted to this limitation of $25,000,000 annually. I regret very much that it can not be more than that, but the country does need the work to begin and go on, and therefore I am going to vote for the conference report.

Mr. DILL. Mr. President, I rise for the purpose of protesting against what is becoming a custom here in regard to conference reports affecting measures involving as much money as does the measure now before us. The conference report was filed this morning. No Senator has had any chance to read it. It is taken up here by unanimous consent. All we know is contained in the statements that are made by the Senator from Maine [Mr. FERNALD]. I am not complaining about his statements. I think he has made them as clear as he can, but I do not know any reason why a bill involving as much as this one does should be called up for action without it being printed in RECORD in order that all might read it.

I am going to vote for the conference report because I think it ought to be approved, but I think the conference report on a measure that involves as much as this one does should have been printed in the RECORD. For my part I do not like to be in the position of objecting to conference reports coming up by unanimous consent, but I do think they ought to be printed in the RECORD in order that Senators might read them and know their full import.

Mr. KING. Mr. President, as I understand it, the report has not been printed in the RECORD, but has been submitted this morning for the first time. May I inquire of the Senator from Maine if it is imperative that it should be adopted to-day?

Mr. FERNALD. The bill has been before Congress for nearly four months. Off and on for three weeks it was discussed in the Senate. Then the committee met with those who were opposed to the bill and conferred with them. We agreed upon certain amendments that we believed ought to be accepted. Then the conference committee, consisting in part of five Members of the Senate, was appointed. We discussed the matter with a similar number of Members from the House. We discussed it for a week and came to an agreement with the House, and it seems to me that it ought not to be deferred longer.

Mr. LENROOT. Mr. President, I will say there is a very strong reason why the conference report should be acted upon immediately. It is because it is expected that the appropriations will be made in the deficiency appropriation bill which is now in course of preparation, and that can not be done until this bill has passed both Houses and has been signed by the President.

Mr. KING. May I ask the Senator from Wisconsin when he expects the deficiency appropriation bill to which he has referred will be ready for consideration?

Mr. LENROOT. It is in course of preparation in the House now.

Mr. KING. But it will not reach the Senate for some time, probably 10 days.

Mr. LENROOT. I can not say as to that.

Mr. FERNALD. Estimates must be made, submitted to the Budget, and then to the Appropriations Committee.

Mr. KING. Yes; I understand the mechanism of the matter.

Mr. DILL. The very statement made by the Senator from Maine about the discussion that has been had on the bill and the matter of the differences of opinion on it makes it all the more imperative that the Senate ought to be permitted to read the conference report before we are called upon to vote on it.

Mr. KING. I think the suggestion of the Senator from Washington is a good one, and if I had the power I should object to the consideration of the conference report now and let it lay over until to-morrow, so we might have a chance to read it. I particularly favor that course for the reason that the discussion here this morning indicates that there have been—I shall not say "trades," but there have been negotiations between various persons and groups in order to satisfy conflicting minds. I do not think that is a wise way to legislate. I would like to see what the report contains. If it is a product of any sort of bargaining, we ought to look into it. As a matter of fact, there is too much logrolling in legislation, in river and harbor bills and public buildings bills, until they have been properly denominated pork barrel bills. I shall not discuss it. If I have the right under the rule to ask that the report go over until to-morrow, I shall avail myself of that parliamentary privilege and ask that the report go over until to-morrow.

Mr. LENROOT. Mr. President, before the Senator makes his request, will he yield to me?

Mr. KING. Certainly.

Mr. LENROOT. The Senator intimated there might have been trading and logrolling.

Mr. KING. I said from the discussion here this morning it seemed so.

Mr. LENROOT. Mr. President, I wish to say to the Senator that the only question which was considered in the conference was the question of giving to the Congress itself a larger measure of control of the expenditure of the money. The bill accomplishes that object, and that was really the only matter in issue.

Mr. KING. I ask that the conference report may go over until to-morrow.

The VICE PRESIDENT. It can not go over under the rule.

Mr. FERNALD. Unanimous consent was given for its consideration.

Mr. KING. I did not know that.

Mr. SIMMONS. Mr. President, I do not imagine that there was very much "logrolling" in this controversy. The term "logrolling" is somewhat offensive; and while it might apply to legislation while pending before the two Houses, I do not think it may properly be used in reference to conference reports. Anyone who has served upon conference committees must realize that there is absolutely no way of bringing the minds of the two Houses together in many instances except by mutual compromise, and, as a rule, compromises are not the result of "logrolling" in conference committees.

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

Mr. SIMMONS. I will.

Mr. FESS. In this particular case there were 12 amendments made to the bill by the Senate, and the House virtually withdrew its opposition to all of them, with one or two exceptions, where there were some modifications of the amendment; in other words, what the Senate provided is almost in toto what is embodied in the conference report. The House Members felt embarrassed in that no concessions were made by the Senate conferees, but that all the concessions were made by them to the Senate conferees. So there was certainly no "logrolling" as between the conferees.

Mr. SIMMONS. From what I had heard about the result of the conference before the statement made by the chairman of the committee and after his statement as to the changes made by the conferees in the bill as passed by the Senate, I think the Senate conferees came out of the conference in a way that ought to be reasonably satisfactory to the Senate.

I think the Senator from Wisconsin [Mr. LENROOT] accurately states the fact when he says that the agreement with reference to the limitation of the powers of the Secretary of the Treasury and increasing the powers and control of Congress is in itself a very valuable thing which the conferees on the part of the Senate accomplished. The agreement in that respect strengthens the control of Congress as to the location of the public buildings to be erected, and, to my mind, more than offsets all of the concessions made by the Senate conferees.

Mr. President, I did not rise so much for the purpose of discussing the conference report as I did to refer to my attitude toward this measure as outlined in the attack which I made upon the bill as it came from the Senate committee, my attitude toward the bill after the Senate had amended it, and my attitude toward it now since it has been further amended by the conference committee.

I could not have voted for the bill as it came to the Senate from the committee. I thought it violated certain fundamental principles of our representative system of government, and I opposed it with all my energy and vigor. The things of which I complained in the remarks which I submitted to the Senate in opposition to the bill were very largely, though not altogether, removed by the amendments made by the Senate, and especially was that true with reference to one of the fundamental objections I made to the bill, namely, the fact that it conferred upon the Secretary of the Treasury broad legislative powers which by right and under the Constitution are lodged in the Senate itself. That objection has been removed, not altogether but chiefly and in a way that is reasonably satisfactory to me. Certain other objections which I then made to the bill were removed by the Senate amendments. While there have been some changes in conference with respect to those amendments, none of the changes are of such consequence and so objectionable that I can not give my assent to the conference report, as I did to the bill after the Senate had finished amending it.

There is one objection, however, that I then urged and which to my mind is of much importance, which has not been removed and could not well be removed either by the Senate or by the conference committee, and that is the utter inadequacy of this bill to supply the business requirements of the Government.

We have authorized no expenditures for the construction of public buildings in this country for 13 years. Those were the 13 most active years in all our history. They were the years in which the United States witnessed a phenomenal and exceptional growth, expansion, and development in every line of its activity. Individual investment realized the necessity of building to meet this expansion, and, as a result, within the past eight years since the close of the war there has been undertaken on the part of private capital a building program that has had no parallel in our history. Billions piled upon billions have been expended by private capital to keep up with the expanding requirements of business, while the Federal Government, whose needs have been just as great as those of private business, whose business has expanded as their business has expanded, whose housing requirements have been increased as their housing requirements have increased, has done nothing to supply this demand. On the contrary, it has been contenting itself with leasing additional housing space for the transaction of its business. While I have not made a calculation or had any calculation made, I am satisfied that the Government during the period to which I refer has been paying in rentals for the buildings and the space which were absolutely necessary to conduct its business at a rate of interest in excess of 12 per cent. The Government can borrow money in the open market for probably 3¼ or 3½ per cent. In my speech I urged that as a matter of business, as a matter of public economy, the Government of the United States ought to follow in the footsteps of private business and ought at once to begin on a broad scale the work of constructing ample accommodations for the facilitation and expedition of its business.

It is true that the Treasury is not in a condition just at this time to meet the vast expenditures which would be necessary to carry out such a program; but, Mr. President, the United States, like private capital, can use its credit. Private capital has provided the necessary housing for the expansion of its business not by using current funds for that purpose, but has accomplished it through the use of credit. The Federal Government can do and should do the same thing. Money expended in the erection of public buildings is not a current expenditure to be charged to expense; it is an investment expenditure.

If it is wise and proper economy on the part of private capital to use its credit in this way, it is more so with reference to the Federal Government. We are issuing bonds for various purposes. Can there be any reason in the world why the Federal Government should not meet the situation that confronts it, a situation that is requiring it to conduct its business in rented buildings at an interest averaging probably over 12 per cent, by erecting its own buildings? Can not the Government meet this situation like private capital has met it and finish the work in a reasonable time? Would not that be wise public policy? If we shall not do that, if each year we shall make only such appropriations as the current revenues of the Treasury will permit, to be paid in cash as the buildings may be erected out of funds in the Treasury raised for current expenses; if we shall persist in this policy of making permanent improvements, improvements in the way of investments, it will be probably, Mr. President, 25 or 30 years before the Government will have anything like the amount of building space which is required to accommodate its business.

Why should we pursue this policy, therefore? I doubt very much—and I think very likely the chairman of the committee will confirm me in that statement—whether the expenditures authorized in this bill will much more than keep up with the annual expansion of the Government's business from now on, leaving the great deficiency that has grown during the 13 years in which we were constructing no buildings at all unprovided for, to be taken care of in the future with appropriations out of money received for current expenses.

That is not the way in which we have met other like business situations. When we decided that we would construct the Panama Canal—up to that time probably the most ambitious project of construction that had been undertaken in the world—when it was said that this country was the only country that was strong enough financially to finance that great project, we recognized that it was a governmental investment; we recognized that it was a business proposition; that to that extent the Government had put itself in business; and instead of undertaking to pay the expenses of that project by annual appropriations we issued bonds for that purpose. Why not meet this situation in the same way, Mr. President? Why not estimate how much money will be required to construct within a year or two all the buildings that are necessary to accommodate the Government's present business and its growth in business

and issue bonds for that purpose? It would not be putting this burden upon future generations any more than this scheme does. Under this scheme it is admitted that probably it will be 20 years from now before we will have finished this work—20 years before we will have sufficient accommodations for our business—and that when the provisions of this bill have expired, when this building program has been completed, if we are to meet the deficiency in construction created by our neglect to build for 13 years, the next appropriation will have to be several times larger than this.

Mr. President, that was one of my fundamental objections to this method of dealing with this problem. I think it is an uneconomical method. I think it is a petty way of dealing with a big business proposition by this Government. But, Mr. President, I realize that it is useless to hope for anything at this session of Congress except this measure, and therefore it resolves itself into the question of whether we will take this or nothing. I should have said nothing for this bill if certain fundamental defects in the scheme, little as it is and insignificant and trifling as it is, had not been remedied; but with those defects largely removed, there being nothing better in sight, I have made up my mind rather reluctantly, and after much hesitation and consideration, to support the measure.

Mr. SWANSON. Mr. President, I agree with the criticism of this bill that the amount appropriated is not sufficient; but the Senators who have indulged in this criticism have overlooked one fact in connection with the agreement that has been reached in the conference report. We require the Secretary of the Treasury and the Postmaster General to send to Congress an estimate and a report as to the places where buildings are needed all over the United States. Where there is a congestion of business, where they think buildings are needed, they present the necessity to Congress, which has not been done heretofore, and then it is left to Congress to determine whether or not they want to have additional appropriations and larger appropriations next year. Consequently, this is a step to get rid of the congested condition which everybody admits exists in the United States in connection with public buildings. That phase of the matter gives it an advantage not now possessed; and when Congress meets in December it will have the information as to where there is congestion and where there is need. Then Congress will be justified in making its appropriations and making a larger schedule for the construction of public buildings.

Mr. McNARY. Mr. President, as I recall, when this bill was before the Senate the amount of money which was to be expended in the various States was based upon three factors—the area, the population, and the postal receipts. I have not, of course, had an opportunity to read the conference report.

Mr. SWANSON. No, Mr. President; if the Senator will permit me, this bill proceeds on this plan: First, the necessity for a building must be ascertained. A conviction must exist in the mind of the Secretary of the Treasury before he sends up the estimates. After he has done that, in making his estimates among the States and submitting them to Congress, he must consider those three facts.

Mr. McNARY. I am only curious to know if the conferees made any change in that plan.

Mr. FERNALD. They made no change in that plan.

Mr. SWANSON. None.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The question is on agreeing to the conference report.

The report was agreed to.

AGRICULTURAL NEW YORK

Mr. COPELAND. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the New York Times of Sunday, May 16, 1926, on "Agricultural New York."

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Is there objection? The Chair hears none, and the editorial will be printed in the RECORD.

The matter referred to is here printed, as follows:

Enthusiasts for the open spaces where men are men—and, furthermore, crops are crops—may be surprised to learn that in agriculture New York, reputedly effete, rivals the States of the Corn Belt, and in some respects surpasses them. They should be grieved to learn that, though tilling the soil in close proximity to Wall Street, the farmers of this State excel especially in economic sobriety and integrity. The facts are presented by the American Agriculturist and give evidence of nice discrimination. Figures for income "represent cash received." Thus hay consumed in the barn does not appear as income except as derived from milk and butter. "In the Middle West, where corn is the major crop, it is usually entered twice—once as corn and again as livestock." So says the Brookville Economic Service, which dug out and vouches for the statistics.

In the value of its hay crop, $21,000,000, New York leads all other States, California being distinctly second. In dairy products it is a close second to Wisconsin and well ahead of Illinois. In fruits and vegetables combined it is a rather bad second to California, but ahead of Florida. In the apple crop it is second to Washington, but well ahead of California. The value of its dairy products is $178,000,000 and of its combined fruits and vegetables $88,000,000—these being its leading crops. In potatoes ($22,000,000) it is second to Maine. In cattle for slaughter it ranks behind nine States of the Corn Belt, but even so it is ahead of Wisconsin, its rival in dairy products. All this gains significance from the fact that in number of farms New York ranks fourth. The farm acreage does not appear, but is relatively low. In farm population it ranks ninth. Yet in "total available farm cash income" New York ranks sixth, preceding the great Corn Belt States of Nebraska, Missouri, Wisconsin, and Indiana.

Far handsomer than being is doing. New York's tenant farmers are relatively few, the number of owner-operated farms being distinctly greater only in Ohio and Missouri and, by an eyelash, in Wisconsin. While its farm taxes and interest payments have doubled since 1909, those in the Corn Belt (interest being largely on mortgages) have trebled. Wall Street itself has little or nothing on the speculations that Corn Belt farmers permitted themselves during the land boom of 1918 and 1919. In "income and purchasing power" the "average New York farmer" has never lost the whole of what he gained during the war; and in 1923 and 1925 he actually topped the peak of 1918, being now some 35 per cent above his pre-war mean. The five central Corn Belt States, financial wild cats of the open spaces, found themselves in 1921 with only 65 per cent of their pre-war income and purchasing power and did not struggle up to that par until 1924 and 1925. True, there are reasons for all this which are not personal to our farmers. The dairy industry, which is the backbone of our agriculture, is rendered stable by the proximity of great cities with their persistent need of being fed. The nation-wide increase in freight rates has borne more heavily upon western farmers. A New York orchardist can ship a hundred pounds of fruit to the metropolis for an average of 25.7 cents, as against $1.50 from the orchards of the Pacific coast.

Yet the fact remains that New York stands in the very front rank in the value of its agricultural produce, is gaining notably on the Middle West in "total available farm cash income," and leads the Nation in its stability and its "purchasing power per farm."

NATIONAL-BANK BRANCHES

Mr. JONES of Washington. Mr. President, on Friday I entered a motion to reconsider the votes by which the banking bill (H. R. 2) was passed. I have talked to several members of the committee, and I am inclined to think that the matter I have in mind can be taken care of in conference, so I withdraw my motion to reconsider the votes by which that bill was passed.

CLAIMS ARISING FROM SINKING OF THE "NORMAN"—PORTER BROS. & BIFFLE AND OTHERS

Mr. KING. Mr. President, Senate bill 2273 and Senate bill 4030 were passed a few days ago. The time for moving to reconsider has not expired, and I enter a motion to reconsider the votes by which each of those bills was passed, and that the House be requested to return them, if they have been transmitted to the House.

Mr. WILLIS. What are the bills? We were unable to hear the Senator.

Mr. KING. The bills are bills which send to the district court actions for tort against the United States. We are considering that question in a subcommittee, and we have been holding them up all this session. They were passed a few days ago.

Mr. WILLIS. What is the request of the Senator?

Mr. KING. I am just moving to reconsider the votes whereby the bills were passed.

Mr. WILLIS. Does the Senator desire to transmit to the House a message requesting the return of the bills?

Mr. KING. Oh, to be sure.

Mr. MAYFIELD. Mr. President, I should like to ask the Senator to explain his motion fully.

Mr. KING. My motion is to reconsider the votes by which the tick bill which was reported by the Senator from Oklahoma [Mr. HARRELD] was passed, and the bill of the Senator from Tennessee [Mr. MCKELLAR] providing that actions for injuries to certain persons should be tried before the district court. I have heretofore objected to those bills because the whole matter was before a subcommittee which was seeking to work out a plan to deal with the subject, and these bills were a departure from the plan which heretofore has been followed by the Government. I am just moving to reconsider; that is all.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah, which the Chair understands to be

that the House be requested to return to the Senate Senate bill 2273 and Senate bill 4030; and the Senator hereby gives notice of a motion to reconsider, to be made after the bills have been returned to the Senate.

Mr. KING. I enter the motion in each case.

Mr. MAYFIELD. When will the motion be voted on?

Mr. KING. The motion to request the House to return the bills can be voted on at the present time.

Mr. MAYFIELD. I should like the Senator to state when he expects to have the motion to reconsider voted on.

Mr. KING. At any time when we take up the calendar—tomorrow or next day.

Mr. EDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state his parliamentary inquiry.

Mr. EDGE. The request is that the Secretary state the title of each bill.

Mr. KING. One bill was introduced by the Senator from Oklahoma [Mr. HARRELD] in regard to bringing a suit for the destruction of cattle, and the other was to authorize actions for tort to be brought in the district court.

Mr. MAYFIELD. Mr. President, I think the Senator will appreciate this suggestion: I do not think we ought to have a vote on this question in the absence of the Senator from Tennessee [Mr. MCKELLAR] and the Senator from Oklahoma [Mr. HARRELD].

Mr. KING. I have entered the motion. We are not going to decide the matter now.

The PRESIDING OFFICER. Does the Senator object to the consideration of the motion at this time?

Mr. CURTIS. Mr. President, what is the question?

The PRESIDING OFFICER. The Senator from Utah has asked unanimous consent that the House be requested to return to the Senate Senate bills 2273 and 4030, and has given notice of his intention to make a motion to reconsider the votes whereby the bills were passed.

Mr. CURTIS. Has the routine morning business been concluded yet?

The PRESIDING OFFICER. It has not.

Mr. CURTIS. I ask that the routine morning business be concluded first.

Mr. KING. I have entered the motion anyway.

The PRESIDING OFFICER. Are there further concurrent or other resolutions?

Mr. KING. Mr. President, I simply enter a motion to reconsider in each of those cases. I can do that.

The PRESIDING OFFICER. The motion will be entered.

Mr. LENROOT. Mr. President, if the motion is entered, the rule requires that there be an immediate vote on the question of returning the bills.

Mr. ASHURST. That is right.

The PRESIDING OFFICER. The point of order is well taken.

Mr. BRATTON. Mr. President, is the motion of the Senator from Utah pending now?

Mr. KING. I have just entered the motion.

The PRESIDING OFFICER. The Senator from Utah having given notice of a motion to reconsider the votes whereby these bills were passed, under the rule a motion to request the House to return the bills is in order and is not debatable.

Mr. MCKELLAR. Mr. President, may I ask what the status of the matter is?

Mr. KING. I am moving to reconsider the votes on the bill which the Senator put through the other night during my absence, and to which I objected.

Mr. MCKELLAR. And which I notified the Senator I would put through, if I could, at any time that I could.

Mr. KING. I understand. I have no objection.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Dill	Heflin	Neely
Bayard	Edge	Howell	Norbeck
Bingham	Edwards	Johnson	Norris
Blease	Ernst	Jones, N. Mex.	Nye
Borah	Fernald	Jones, Wash.	Oddie
Bratton	Ferris	Kendrick	Overman
Broussard	Fess	Keyes	Phipps
Bruce	Frazier	King	Pine
Butler	Gillett	La Follette	Pittman
Cameron	Glass	Lenroot	Ransdell
Caraway	Goff	McKellar	Robinson, Ark.
Copeland	Gooding	McMaster	Robinson, Ind.
Couzens	Hale	McNary	Sackett
Curtis	Harreld	Mayfield	Sheppard
Dale	Harris	Means	Shipstead
Deneen	Harrison	Metcalf	Shortridge
Simmons	Stephens	Underwood	Weller
Smoot	Swanson	Walsh	Wheeler
Stanfield	Trammell	Warren	Williams
Steck	Tyson	Watson	Willis

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

Mr. KING. Mr. President, I withdraw my motion for the present, but I give notice that later during the day—and I want to say this to the Senator from Oklahoma [Mr. HARRELD] and the Senator from Tennessee [Mr. MCKELLAR]—I shall enter a motion and ask for a reconsideration of the votes. I withdraw the motion for the present.

Mr. MCKELLAR. Will the Senator ask for a vote this afternoon?

Mr. KING. Whatever the parliamentary rule provides.

Mr. HARRELD. Did I understand the Senator to say that he withdraws the motion for a reconsideration of the vote by which the bill was passed?

Mr. KING. For the present. I give notice that I shall press the matter later on in the afternoon.

ADJUSTMENT OF WATER RIGHTS

Mr. PHIPPS. Mr. President, I ask unanimous consent for the immediate consideration of House bill 10429, the reclamation adjustment bill. The report on this bill has been read, and I do not think the consideration of the measure will lead to any debate.

Mr. ROBINSON of Arkansas. I have no objection to the consideration of the bill. I think there should be an explanation of its provisions, however.

Mr. PHIPPS. The report and the bill in its amended form are both printed.

The PRESIDING OFFICER. Does the Senator from Arkansas object to the immediate consideration of the bill?

Mr. ROBINSON of Arkansas. No; I do not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10429) to adjust water right charges, to grant certain other relief on the Federal irrigation projects, to amend subsections E and F of section 4, act approved December [illegible], 1924, and for other purposes, which had been reported from the Committee on Irrigation and Reclamation with amendments.

Mr. PHIPPS. May I ask the Senator from Arkansas if he desires to have the report read again?

Mr. ROBINSON of Arkansas. No; I do not.

Mr. PHIPPS. The amendments that have been made by the Senate committee do not change the real purpose and intent of the bill as it passed the House. Clerical corrections were necessary in the figures, as mistakes had been made in the tabulations. Aside from that, there are three or four minor corrections, and two amendments have been submitted that have the effect of taking care of special cases where the problems on two reclamation projects have not yet been developed to the point where the most efficient and the best method to handle them can be determined.

The bill in its main purpose, of course, as the Senate well understands, is to clear up the situation on several reclamation projects where money was unwisely expended in developments that have proven failures, where the money came from the reclamation fund. This bill does not take any money out of the United States Treasury, but it gives a credit, so that the amounts which have been expended unwisely will not continue to be charged against the settlers on the projects.

A clean-up is made so that the Government may be assured that the projects from this time on will go forward and make good. The people on the land can and will meet and pay the construction charges, together with the operation and maintenance charges.

I suggest that the clerk report the amendments.

Mr. TRAMMELL. Mr. President, may I ask the Senator whether the amount of the deductions provided for in the bill is a charge off?

Mr. PHIPPS. It is a charge off.

Mr. TRAMMELL. On the different projects represented?

Mr. PHIPPS. That is correct.

Mr. TRAMMELL. Has that money already been expended?

Mr. PHIPPS. That money has been expended.

Mr. TRAMMELL. It has been expended by the Federal Government?

Mr. PHIPPS. By the Federal Government, out of the reclamation fund, and in seeking to recover from the settlers it was found that expenditures were made unwisely, largely through faulty administration, and that it is not possible to make the land repay these amounts.

Mr. TRAMMELL. It represents a loss to the Federal Government and a contribution to the reclamation projects involved, does it not?

Mr. PHIPPS. It represents losses that must be cared for out of the reclamation fund. That reclamation fund, as the Senator knows, is made up of receipts from royalties in the development and production of oil, the mining of coal, and other things in the public-land States.

Mr. TRAMMELL. But these Federal funds belonged to the United States Government.

Mr. PHIPPS. The money never went into the Treasury of the United States.

Mr. TRAMMELL. But it belonged to the United States Government?

Mr. PHIPPS. Yes; it may be looked upon as Federal money in a sense.

Mr. TRAMMELL. What is the total amount of the charge off?

Mr. PHIPPS. Just a little over $14,000,000.

Mr. TRAMMELL. That has been contributed to these arid-land reclamation projects, and is now considered a loss to the Government?

Mr. PHIPPS. That is correct.

Mr. TRAMMELL. I think, as far as making the adjustment with the property owners is concerned, they should not carry the loss; but I wanted to ascertain how much the Government had lost on those projects.

Mr. PHIPPS. That is correct.

Mr. PITTMAN. Mr. President, I want to concur in the statement of the Senator from Colorado. There was a fact-finding commission appointed by the Department of the Interior, consisting of seven men, I think, representing different occupations—engineers, geologists, soil experts, reclamationists—who went to all these reclamation projects for the purpose of examining into the condition of the projects, to ascertain whether or not the settlers on the projects were being justly treated by the Federal Government. They found that they had not been justly treated. They found that through errors of the Government these extra charges had been made. Therefore they recommended that the charges go off. That is the way it stands at the present time.

Mr. TRAMMELL. Mr. President, I am not complaining of the charge off of any legitimate allowances that should not properly be assessed against the property owners. I did not mean to indicate that by my interrogatory. I think, of course, it is very proper that they should not have to carry the burden of some mistakes made in the operation of these undertakings.

The PRESIDING OFFICER. The Clerk will state the amendments.

The CHIEF CLERK. On page 14, line 14, strike out "$4,396,709" and insert "$3,315,136"; on page 15, line 4, strike out "$196,575" and insert "$155,465"; on page 20, after line 26, insert "(Garland Division)"; on page 27, line 6, strike out the word "permanently" and insert the word "temporarily"; on page 33, line 10, strike out the period and insert a colon and the words "*Provided further*, That in the execution of any contract provided for in the last proviso the Secretary of the Interior shall have authority to arrange for payment of construction charges by any project or division for the calendar years 1926, 1927, and 1928 in proportion to the state of development of the project in those years: *Provided further*, That the Secretary of the Interior is authorized to complete and execute the supplemental contract now being negotiated, and which has been approved as to form by the Secretary, between the United States and the Belle Fourche irrigation district and at the expiration of said supplemental contract to enter into a permanent contract on behalf of the United States with said district in accordance with the terms of said supplemental contract."; on page 33 strike out, in lines 24 and 25, and line 1 on page 34, the words "No part of any sum hereafter appropriated for any new project or new division of a project shall be expended for construction purposes," and insert the words "No water shall be delivered upon the completion of any new project or new division of a project," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, empowered and directed to make, under subsection K, section 4, act of December 5, 1924 (43 Stat. L. p. 701), in connection with the irrigation projects hereinafter named, adjustment of water-right charges standing upon the records of said projects as of June 30, 1925, as follows:

BELLE FOURCHE PROJECT, SOUTH DAKOTA

SEC. 2. There shall be deducted from the total cost of said project the following sums:

(1) Three hundred and fifty-five thousand eight hundred and nine dollars or such an amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) One thousand two hundred and eight acres permanently unproductive because of topography steep and rough heretofore eliminated;

(b) Six thousand eight hundred and ninety-seven acres permanently unproductive because of topography steep and rough; based on present land classification.

(2) One hundred and nineteen thousand six hundred and six dollars on account of operation and maintenance deficit prior to reclamation extension act of 1914.

(3) Twelve thousand and thirty-six dollars on account of error or mistake representing Johnson Creek lateral storage investigations and Nine Mile location surveys as shown on page 14 of House Document No. 201, Sixty-ninth Congress, first session.

SEC. 3. All payments upon construction charges shall be suspended against the following lands:

(a) Ten thousand five hundred acres temporarily unproductive for lack of fertility in the soil, seepage, and excessive alkali salts;

(b) Six thousand eight hundred and ninety-five acres, Willow Creek lands awaiting further developments, temporarily unproductive;

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and shown in the table on page 14 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

BOISE PROJECT, IDAHO

SEC. 4. All payments upon construction charges shall be suspended against the following lands:

(a) Two thousand nine hundred and ninety acres, Arrowrock division, temporarily unproductive for lack of fertility in the soil and being water-logged;

(b) Four hundred and eight acres, Arrowrock division, Nampa and Meridian district, temporarily unproductive for lack of fertility in the soil, being water-logged;

(c) Two thousand six hundred and fifty acres, Arrowrock division, temporarily unproductive because of light, sandy soil that blows easily;

(d) Three hundred and eighty-eight acres, Arrowrock division, temporarily unproductive because of porous soil difficult to irrigate.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and as shown in the table on page 15 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, of said document.

CARLSBAD PROJECT, NEW MEXICO

SEC. 5. There shall be deducted from the total cost of the said project the sum of $374,885.69 on account of error and mistake in providing for additional storage in Lake McMillan reservoir as follows:

(1) Acquisition of flowage rights required for additional storage, rights of way, and expenses incidental thereto, $164,383.62.

(2) For additional and incidental construction required for said additional storage, $210,502.07 as follows:

(a) Preliminary surveys, etc., $6,718.62.

(b) Extra dam construction, $89,153.13.

(c) Holes in reservoir bottom, $2,379.52.

(d) Spillway No. 1, $49,549.80.

(e) Spillway No. 2, $62,701.

SEC. 6. All payments upon construction charges shall be suspended against the following lands: One thousand and five acres temporarily unproductive for lack of fertility in the soil because of seepage and alkalinity; all as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and as shown in the table on page 17 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, of said document.

GRAND VALLEY PROJECT, COLORADO

SEC. 7. There shall be deducted from the total cost of said project the following sums:

Seven hundred and sixty thousand six hundred and twenty-eight dollars, or such an amount as represents the construction costs as found by the Secretary of the Interior against the following lands:

(a) Nine thousand one hundred and seven acres permanently unproductive for lack of fertility in the soil, shallow soil, akalinity, and unfavorable topography;

(b) One thousand six hundred and fifty acres, west end extension, permanently unproductive because of unfavorable topography, shallow soil, and alkalinity.

SEC. 8. When construction charges are announced for the productive lands of the project all payments of construction charges shall be suspended against the following lands:

(a) Seven thousand one hundred and fifty acres temporarily unproductive for lack of fertility in the soil, seepage, and alkalinity;

(b) Eleven thousand eight hundred and sixty-three acres of productive lands temporarily unproductive because no construction thus far of the Garfield pumping division, or of the Loma siphon land extension, or any other means of reclaiming the same, and there being no present demand for these unirrigated lands.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and shown in the table on page 19 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, said document.

HUNTLEY PROJECT, MONTANA

SEC. 9. There shall be deducted from the total cost of said project the following sums:

(1) Forty-six thousand nine hundred and eighty-seven dollars, or such amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Four hundred and four acres, Pryor division, permanently unproductive because eroded and marginal to the river;

(b) Four hundred and twenty-seven acres, Eastern and Fly Creek divisions, permanently unproductive for lack of fertility in the soil.

(2) Eighty-one thousand three hundred and fifty-four dollars on account of operation and maintenance deficit prior to reclamation extension act of 1914.

The Secretary is further directed to assume as a definite loss such sums as in his judgment may be just and proper in connection with moneys expended for experiments with reclamation on alkali lands, and costs in excess of contracted returns, such total not to exceed $41,000.

SEC. 10. All payments upon construction charges shall be suspended against the following lands:

(a) Eleven thousand one hundred and seventy acres, Pryor division, temporarily unproductive, being gumbo and alkali soil;

(b) One thousand three hundred and thirty-six acres, Pryor division, temporarily unproductive, being private lands, unpledged;

(c) Nine hundred and seventy acres, Eastern and Fly Creek divisions, temporarily unproductive, seeped.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the table on page 21 of said Document 201, checked and modified as outlined in "General recommendations" numbered 2 and 4, page 60 of said document.

KING HILL PROJECT, IDAHO

SEC. 11. There shall be deducted from the total cost of said project the following sum:

(1) Five hundred and thirty-one thousand nine hundred and fifty-eight dollars, or such amounts as represent actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Seven hundred and ten acres, permanently unproductive, being not susceptible of improvement because of lack of fertility in the soil;

(b) Three thousand seven hundred and sixty-four acres on account of inadequate water supply, porous soil, and gravelly subsoil.

SEC. 12. All payments upon construction charges shall be suspended against the following lands:

(a) One thousand eight hundred and ninety-eight acres, on account of probably insufficient water supply, porous soil, and sandy and porous subsoil;

(b) Five hundred and sixteen acres included in town sites and suspended areas.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the table on page 23 of said Document 201, checked and modified as outlined in "General recommendations" numbered 2 and 4, page 60 of said document.

KLAMATH PROJECT, OREGON

SEC. 13. There shall be deducted from the total cost of said project the following sum:

(1) One thousand five hundred and eighty-seven dollars, or such amounts as may be actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Thirty-eight acres main divisions, Klamath irrigation district, permanently unproductive for lack of fertility in the soil.

SEC. 14. All payments upon construction charges shall be suspended against the following lands:

(a) Five hundred and seventeen acres, main division, Klamath irrigation district, temporarily unproductive for lack of fertility in the soil;

(b) One hundred and twenty-nine acres, Horsefly irrigation district, temporarily unproductive for lack of fertility in the soil;

(c) Eighty-three acres, Langell Valley irrigation district, temporarily unproductive for lack of fertility in the soil.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments, as shown in the table on page 27 of said Document 201, as checked and modified as recommended in "General recommendations" numbered 2 and 4, page 60 of said Document 201.

SEC. 15. The Secretary is further authorized and directed, when announcement is made of the construction charges for the Tule Lake division of this project, to take into consideration the recommendation of the board on page 26 of said Document 201 that a loss to the reclamation fund will ultimately ensue on this division, and also a probable loss of $34,000 from lands of the Horsefly irrigation district by reason of the construction of the Gerber Reservoir, and he is further authorized and directed to deduct from the cost of said division the sum of $234,407, as recommended by the board of survey and adjustments on page 26 of said document, and to fix and allocate the construction cost per acre in accordance with the findings and recommendations of the said board on page 26 of said document. The construction charge against the area in this division now under contract shall also be adjusted accordingly: *Provided*, That the construction charges shall in no event exceed a just and equitable charge against the Tule Lake division based on the value of water for irrigation under the economic conditions prevailing, notwithstanding such charges may not return the full cost of construction.

SEC. 16. Nothing in this act shall be held to affect or prejudice the claims of the Klamath irrigation district or the State of Oregon in any suit or action now or hereafter instituted to set aside that certain contract between the United States and the California-Oregon Power Co. dated February 24, 1917, together with all contracts or modifications thereof, and to set aside or cancel the sale made by the United States of the so-called Ankeny and Keno Canals and the lands embraced in the rights of way thereof in the year 1923 to the said California-Oregon Power Co.

LOWER YELLOWSTONE PROJECT, MONTANA-NORTH DAKOTA

SEC. 17. There shall be deducted from the total cost of said project the following sum:

(1) Three hundred and eighty-two thousand two hundred and fifty-four dollars, or such amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Five hundred and seventy-four acres permanently unproductive on account of right of way of the Great Northern Railway.

(b) Seven hundred and eighty-eight acres permanently unproductive, embracing town site.

(c) Six thousand and seventy-seven acres on account of error in original estimate of irrigable area.

SEC. 18. All payments upon construction charges shall be suspended against the following lands:

(a) Five hundred acres temporarily unproductive because of damage by erosion.

(b) Two thousand eight hundred acres temporarily unproductive because water-logged.

(c) Seven thousand one hundred and eighty-eight acres temporarily unproductive because of forest covering and rough topography.

(d) Three hundred and thirteen acres temporarily unproductive because located in United States reserves.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the table on page 28 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

MILK RIVER PROJECT, MONTANA

SEC. 19. There shall be deducted from the total cost of said project the following sums:

(1) One hundred thousand nine hundred and seventy-eight dollars, or such an amount as represents the construction costs as found by the Secretary of the Interior against the following lands:

(a) One thousand seven hundred and seventy acres permanently unproductive for lack of fertility in the soil.

(2) One hundred and forty-five thousand and fifty-four dollars on account of error or mistake, representing unused St. Mary East Canal and measuring St. Mary waters as shown on page 31 of said Document 201.

(3) Nine hundred and twenty-nine thousand two hundred and twelve dollars, major work unused as shown on page 31 of said Document No. 201.

(4) Seven hundred and thirty-five thousand nine hundred and forty-five dollars, major and minor works unused as shown on page 31 of said Document No. 201.

SEC. 20. When the construction charges are announced for the productive lands of the project all payments of construction charges shall be suspended against the following lands:

(a) Twenty-three thousand five hundred acres temporarily unproductive for lack of fertility in the soil.

(b) Nine thousand four hundred and thirty acres temporarily unproductive because of inadequate storage and refractory soils.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and shown in the table on page 31 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

MINIDOKA PROJECT, IDAHO

SEC. 21. There shall be deducted from the total cost of said project the following sum:

(1) Nine thousand one hundred and seventy two dollars, or such amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) One hundred and seventy-eight acres, Gravity division, permanently unproductive for lack of fertility in the soil.

(b) Thirty-eight acres, South Side pumping division, permanently unproductive for lack of fertility in the soil and impregnated with alkali.

SEC. 22. All payments upon construction charges shall be suspended against the following lands:

(a) One thousand six hundred and thirty-four acres, Gravity division, temporarily unproductive because water-logged and for lack of fertility in the soil.

(b) Nine hundred and twenty acres, Gravity division, temporarily unproductive because of inadequate water supply and of porous soil.

(c) Five hundred and twenty-five acres, Gravity division, temporarily unproductive because of "blow soil."

(d) One hundred and ninety-seven acres, South Side pumping division, temporarily unproductive for lack of fertility in the soil and because water-logged.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the table on page 33 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

NEWLANDS PROJECT, NEVADA

SEC. 23. There shall be deducted from the total cost of said project the following sums:

(1) Three million three hundred and fifteen thousand one hundred and thirty-six dollars, or such amount as represents actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Four hundred and four acres permanently unproductive for lack of fertility in the soil.

(b) Fifty thousand acres on account of inadequate water supply; major works unused.

(c) Thirty-two thousand five hundred and eighty-two acres on account of inadequate water supply; major and minor works unused.

(2) One hundred and thirty-nine thousand six hundred and eighty-seven dollars for operation and maintenance deficit prior to reclamation extension act of 1914:

(3) Eighty-two thousand two hundred and twenty-one dollars, Truckee River water-right adjudication;

(4) Seventy-one thousand six hundred and five dollars expense pumping at Lake Tahoe and Truckee Canals, less amount recovered from sale of power;

(5) One hundred and fifty-five thousand four hundred and sixty-five dollars on account of error or mistake covering various items due chiefly to lesser irrigable area than contemplated;

(6) Eight hundred and eighty-four thousand nine hundred and ninety-eight dollars on account of error or mistake, being aggregate shortage of returns because of low acre charges in the early contracts, allowing also for surcharge on 934 acres of land.

SEC. 24. All payments upon construction charges shall be suspended against the following lands:

(a) Four thousand four hundred and fourteen acres temporarily unproductive for lack of fertility in the soil;

(b) Ten thousand six hundred and ninety-four acres public and private lands uncontracted at present.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the table on page 37 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, of said document.

NORTH PLATTE PROJECT, NEBRASKA-WYOMING

SEC. 25. There shall be deducted from the total cost of said project the following sums:

INTERSTATE DIVISION

(1) Thirty-six thousand two hundred and fifty dollars, or such amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Five hundred and thirty-two acres permanently unproductive for lack of fertility in the soil.

(2) Twenty-three thousand seven hundred and fifty-one dollars and fifty-nine cents on account of error or mistake in charging the cost of secondary investigations to this division.

FORT LARAMIE DIVISION

(1) Twenty-two thousand six hundred and eighty dollars on account of error or mistake in charging the cost of secondary investigations to this division.

NORTHPORT DIVISION

(1) Three thousand four hundred and twenty-five dollars on account of error or mistake in charging the cost of secondary investigations to this division.

SEC. 26. All payments upon construction charges shall be suspended against the following lands:

INTERSTATE DIVISION

(a) Twenty-five thousand three hundred and ninety-nine acres temporarily unproductive for lack of fertility in the soil, being partly seeped and partly blow sand;

(b) Five hundred and fifteen acres temporarily unproductive, being unclassified land.

FORT LARAMIE DIVISION

(a) Seven thousand six hundred and sixty-five acres temporarily unproductive for lack of fertility in the soil.

NORTHPORT DIVISION

(a) Two thousand five hundred and fifty-five acres temporarily unproductive for lack of fertility in the soil.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and as shown in the tables on pages 39 and 40 of said Document 201, as revised and as checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

OKANOGAN PROJECT, WASHINGTON

SEC. 27. There shall be deducted from the total cost of said project the following sums:

(1) Two hundred and twenty-seven thousand seven hundred and eighty-three dollars, or such an amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Two thousand three hundred and fifty-four acres permanently unproductive on account of sandy soil;

(b) Six acres, Duck Lake feeder canal right of way, permanently unproductive on account of other physical causes.

(2) Four hundred and ninety-two thousand nine hundred and seventeen dollars on account of error or mistake in charging the cost of examination, surveys, construction, and purchase in connection with the following items: Colville extension, power plants Nos. 1 and 2, Salmon Lake Reservoir, power plant No. 3, transmission line, pumping plant at Riverside, and sandy land water rights.

SEC. 28. All payments upon construction charges shall be suspended against the following lands:

(a) Fifty-seven acres temporarily unproductive because of sandy soil;

(b) Twenty-nine acres temporarily unproductive because of seepage.

SEC. 29. The sum of $89,708.22, representing the total cost of works described below, shall be suspended and treated as a probable loss until the question of a permanent project water supply is settled, and if such works are then abandoned the Secretary of the Interior is authorized to deduct the sum named from the total cost of the project. The works are (1) Robinson Flat pumping plant, (2) Duck Lake pumping plant, (3) Salmon Lake pumping plant, (4) Government wells Nos. 1 and 2, and (5) private wells and pumping plant.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments, as shown in the tables on page 42 of said Document 201, subject to checking and modification as recommended in "General recommendations" Nos. 2 and 4, on page 60 of said document.

RIO GRANDE PROJECT, NEW MEXICO-TEXAS

SEC. 30. There shall be deducted from the total cost of said project the following sum:

(a) Thirty-one thousand six hundred and sixty-one dollars and thirty-five cents on account of error or mistake in charging the costs of the following items against said project: Operation and maintenance deficit (El Paso County water improvement district No. 1); Farm unit survey, Leasburg division (Elephant Butte irrigation district), 50 per cent of $14,530; Palomas Valley, farm unit survey; Palomas Valley, canal survey; Palomas Valley, flood protection and drainage; Palomas Valley, percentage cost of general investigations charged; San Luis Valley, drainage investigations.

All as shown in the table on page 45 of said Document 201 as revised and subject to checking and modification as recommended in "General recommendations" on pages 60 and 61 of said document.

(b) The Secretary of the Interior is hereby authorized to credit on the contract dated January 17, 1920, as supplemented by contract of October 12, 1922, between the United States and the El Paso County water improvement district No. 1, the sum of $350,000, or such portion thereof as in the opinion of the Secretary of the Interior may be necessary and is actually expended in the investigation and construction of necessary works to be built at the expense of said district as a part of the Rio Grande project for the protection of its water supply encroached upon by diversions made from the Rio Grande for use in Mexico. The amounts expended by said district shall be credited upon the said contracts of January 17, 1920, and October 12, 1922, between the United States and the district to the extent of construction charges payable annually by the district to the United States under the contracts mentioned, the first credit to be applied the year in which the funds, or a portion thereof, within above limitation, are expended. Thereafter such credits shall continue until all cost so incurred by the district shall have been absorbed. During the years credits are so

applied no payments shall be required on the part of said district under its contracts mentioned. The total indebtedness under said contracts shall be reduced to the extent of expenditures made hereunder.

SHOSHONE PROJECT, WYOMING-MONTANA

SEC. 31. There shall be deducted from the total cost of said project the following sums:

(1) One million six hundred seventy-seven thousand six hundred and thirty dollars, or such amount as represents actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Four thousand and eleven acres, Garland division, permanently unproductive for lack of fertility in the soil;

(b) Eighteen thousand three hundred and twenty-four acres, Frannie division, permanently unproductive for lack of fertility in the soil.

(2) .(a) Twenty-one thousand three hundred and seventy-three dollars on account of operation and maintenance deficit prior to reclamation extension act of 1914 (Garland division).

(b) Sixteen thousand six hundred and sixty-three dollars on account of operation and maintenance deficit prior to reclamation extension act of 1914 (Frannie division).

SEC. 32. All payments upon construction charges shall be suspended against the following lands:

(a) Three thousand seven hundred and nine acres, Garland division, temporarily unproductive for lack of fertility in the soil;

(b) Three thousand three hundred and fifty-three acres, Frannie division, temporarily unproductive for lack of fertility in the soil.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and as shown in the table on page 47 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, of said document.

(c) Five hundred and twenty-four acres on account of having been abandoned.

SUN RIVER PROJECT, MONTANA

SEC. 33. There shall be deducted from the total cost of said project the following sums:

(1) Seventy-nine thousand six hundred and forty-nine dollars, or such amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Nine hundred and sixty-two acres, Fort Shaw division, permanently unproductive for lack of fertility in the soil, nonirrigable and nonarable;

(b) One hundred and five acres, Fort Shaw division, permanently unproductive because inaccessible by erosion and floods;

(c) One thousand two hundred and thirty-three acres, Fort Shaw division, permanently unproductive because flooded and eroded.

(2) Eleven thousand seven hundred and thirty-four dollars because of error or mistake on account of adjustment losses.

(3) Thirty-four thousand one hundred and forty-eight dollars, operation and maintenance deficit prior to the reclamation extension act of 1914.

SEC. 34. All payments upon construction charges shall be suspended against the following lands:

(a) Two thousand five hundred and eighteen acres, Fort Shaw division, temporarily unproductive, subscribed; water-logged;

(b) One thousand two hundred and ninety-two acres, Fort Shaw division, temporarily unproductive, unentered, and unsubscribed.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and as shown in the table on page 49 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60, of said document.

UMATILLA PROJECT, OREGON

SEC. 35. There shall be deducted from the total cost of said project the following sums:

EAST DIVISION

(1) Four hundred and ninety thousand three hundred and ninety dollars, or such an amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Two thousand five hundred and seventy five acres permanently unproductive for lack of fertility in the soil, not susceptible of improvement;

(b) Two thousand two hundred and fifty-five acres permanently unproductive because of porous soil, gravelly subsoil.

(2) Three hundred and eighty-eight thousand four hundred and forty-eight dollars on account of error or mistake—excluded from district repayments on account of faulty construction.

(3) Sixteen thousand seven hundred and eleven dollars on account of error or mistake; loss on Hermiston district lands.

(4) Ninety-one thousand and eighty-three dollars on account of operation and maintenance deficit prior to reclamation extension act of 1914.

WEST DIVISION

(1) Five thousand seven hundred and three dollars, or such an amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Fifty-nine acres permanently unproductive for lack of fertility in the soil, not susceptible of improvement.

(2) Two hundred and fifty-two dollars on account of error or mistake representing shortage of contracted return from 54 acres under water-right applications.

(3) The water rights formerly appurtenant to all permanently unproductive lands on the Umatilla project shall be available to the remaining lands without added cost to the water users.

SEC. 36. All payments upon construction charges shall be suspended against the following lands:

EAST DIVISION

(a) Six hundred and ten acres temporarily unproductive for lack of fertility in the soil because of water-logging;

(b) Five hundred and thirty acres representing in amount $37,100 and described as probable loss on Hermiston district lands.

WEST DIVISION

(a) Three thousand four hundred and twenty-two acres temporarily unproductive because of inadequate water supply;

(b) Five hundred and ninety-five acres temporarily unproductive because of water-logging.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments, as shown in the tables on page 52 of said Document 201, as revised and as checked and modified as recommended in "General recommendations" Nos. 2 and 4, on page 60 of said document.

UNCOMPAHGRE PROJECT, COLORADO

SEC. 37. There shall be deducted from the total cost of the said project the following sums:

(1) One million three hundred and eighteen thousand and fifty-six dollars, or such as amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

(a) Four hundred and thirty-nine acres permanently unproductive for lack of fertility in the soil;

(b) Twenty-four thousand nine hundred and eighteen acres permanently unproductive because of an inadequate water supply.

(2) Forty-seven thousand three hundred and seventy-one dollars on account of error or mistake representing deductions recommended and covered in contract of May 7, 1918, between the United States and the Uncompahgre Valley Water Users' Association. The total thus to be deducted from the project cost shall be charged off as a permanent loss to the reclamation fund.

SEC. 38. All payments upon construction charges shall be suspended against the following lands:

(a) Seventeen thousand acres temporarily unproductive because water-logged;

(b) Five thousand six hundred and twenty-nine acres temporarily unproductive because of rolling and uneven topography;

(c) Five thousand acres temporarily unproductive because of alkalinity;

(d) The water rights formerly appurtenant to the permanently unproductive lands shall be available to the remaining land on said project without added cost to the water users, because of the Gunnison Tunnel not yet being completed and there being an inadequate water supply.

All as shown by classification heretofore made under the supervision of the Board of Survey and Adjustments and shown in the table on page 55 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

YAKIMA PROJECT, WASHINGTON

SEC. 39. There shall be deducted from the total cost of said project the following sum:

Three thousand and sixty-eight dollars, or such an amount as represents the actual construction charges as found by the Secretary of the Interior against the following lands:

Fifty-nine acres, Sunnyside division, permanently unproductive because of shallow soil overlying rock.

SEC. 40. All payments upon construction charges shall be suspended against the following lands:

(a) One thousand eight hundred and forty-nine acres, Sunnyside division, temporarily unproductive, being either water-logged, alkalied, rough, steep, shallow soil overlying hardpan, or difficult to subdue.

(b) Three thousand and thirty-two acres, Tieton division, temporarily unproductive because of shallow, poor soil with rough topography.

All as shown by classification heretofore made under the supervision of the board of survey and adjustments and shown on page 57 of said Document 201, checked and modified as outlined in "General recommendations" Nos. 2 and 4, page 60 of said document.

ADMINISTRATIVE PROVISIONS

SEC. 41. All lands found by the classification to be permanently unproductive shall be excluded from the project and no water shall be delivered to them after the date of such exclusion unless and until they are restored to the project. Except as herein otherwise provided,

the water right formerly appurtenant to such permanently unproductive lands shall be disposed of by the United States under the reclamation law: *Provided*, That the water users on the projects shall have a preference right to the use of the water: *And provided further*, That any surplus water temporarily available may be furnished upon a rental basis for use on lands excluded from the project under this section, on terms and conditions to be approved by the Secretary of the Interior.

SEC. 42. The construction charges heretofore paid on permanently unproductive lands excluded from the project shall be applied as a credit on charges due or to become due on any remaining irrigable land covered by the same water-right contract or land taken in exchange as provided in section 44 of this act. If the charges so paid exceed the amount of all water-right charges due and unpaid, plus the construction charges not yet due, the balance shall be paid in cash to the holder of the water-right contract covering the land so excluded or to the irrigation district affected; which in turn shall be charged with the responsibility of making suitable adjustment with the landowners involved. Should all the irrigable lands of a water-right applicant be excluded from the project as permanently unproductive, and no exchange be made as provided in section 44 hereof, the total construction charges heretofore paid, less any accrued charges on account of operation and maintenance, shall be refunded in cash, the water-right contract shall be canceled, and all liens on account of water-right charges shall be released.

SEC. 43. The payment of all construction charges against said areas temporarily unproductive shall remain suspended until the Secretary of the Interior shall declare them to be possessed of sufficient productive power properly to be placed in a paying class, whereupon payment of construction charges against such areas shall be resumed or shall begin, as the case may be. While said lands are so classified as temporarily unproductive and the construction charges against them are suspended, water for irrigation purposes may be furnished upon payment of the usual operation and maintenance charges, or such other charges as may be fixed by the Secretary of the Interior the advance payment of which may be required, in the discretion of the said Secretary. Should said lands temporarily classed as unproductive, or any of them, in the future be found by the Secretary of the Interior to be permanently unproductive, the charges against them shall be charged off as a permanent loss to the reclamation fund and they shall thereupon be treated in the same manner as other permanently unproductive lands as provided in this act.

SEC. 44. Settlers who have unpatented entries under any of the public land laws embracing lands which have been eliminated from the project, or whose entries under water rights have been so reduced that the remaining area is insufficient to support a family, shall be entitled to exchange their entries for other public lands within the same project or any other existing Federal reclamation project, with credit under the homestead laws for residence, improvement, and cultivation made or performed by them upon their original entries and with credit upon the new entry for any construction charges paid upon or in connection with the original entry: *Provided*, That when satisfactory final proof has been made on the original entry it shall not be necessary to submit final proof upon the lieu entry. Any entryman whose entry or farm unit is reduced by the elimination of permanently unproductive land shall be entitled to enter an equal amount of available public land on the same project contiguous to or in the vicinity of the farm unit reduced by elimination, with all credits in this section hereinbefore specified in lieu of the lands eliminated. Owners of private lands so eliminated from the project may, subject to the approval of the Secretary of the Interior, and free from all encumbrances, relinquish and convey to the United States lands so owned and held by them, not exceeding an area of 160 acres, and select an equal area of vacant public land within the irrigable area of the same or any other Federal reclamation project, with credit upon the construction costs of the lands selected to the extent and in the amount paid upon or in connection with their relinquished lands, and the Secretary of the Interior is hereby authorized to revise and consolidate farm units, so far as this may be made necessary or advisable, with a view to carrying out the provisions of this section: *Provided further*, That the rights extended under this section shall not be assignable: *And provided further*, That in administering the provisions of this section and section 42, the Secretary of the Interior shall take into consideration the rights and interests of lien holders, as to him may seem just and equitable: *Provided further*, That where two entrymen apply for the same farm unit under the exchange provisions of this section, only one of whom is an ex-service man, as defined by the joint resolution of January 21, 1922 (42 Stat. p. 358), the ex-service man shall have a preference in making such exchange.

SEC. 45. The Secretary of the Interior is hereby authorized, in his discretion, to amend any existing water-right contract to the extent necessary to carry out the provisions of this act, upon request of the holder of such contract. The Secretary of the Interior, as a condition precedent to the amendment of any existing water-right contract, shall require the execution of a contract by a water-users' association or irrigation district whereby such association or irrigation district shall be required to pay to the United States, without regard to default in the payment of charges against any individual farm unit or tract of irrigable land, the entire charges against all productive lands remaining in the project after the permanently unproductive lands shall have been eliminated and the charges against temporarily unproductive areas shall have been suspended in the manner and to the extent authorized and directed by this act.

The Secretary is authorized, in his discretion, upon request of individual water users or districts, and upon performance of the condition precedent above set forth, to amend any existing water-right contract to provide for increase in the time for payment of construction charges, which have not then accrued, to the extent that may be necessary under the conditions in each case, subject to the limitation that there shall be allowed for repayment not more than 40 years from the date the first payment matured under the original contract, and also to extend the time for payment of operation and maintenance or water rental charges due and unpaid for such period as in his judgment may be necessary not exceeding five years, the charges so extended to bear interest payable annually at the rate of 6 per cent per annum until paid, and to contract for the payment of the construction charges then due and unpaid within such term of years as the Secretary may find to be necessary, with interest payable annually at the rate of 6 per cent per annum until paid.

The Secretary is further authorized, in his discretion, to grant the relief provided for in section 4, act of December 5, 1924 (43 Stat. L. p. 701), to any of the projects mentioned in this act, without requiring such project to take over the care, operation, and maintenance of the project works.

The decision of the Secretary as to the necessity for amending any such contract shall be conclusive: *Provided*, That nothing in this act shall prevent the execution of any contract heretofore negotiated or in connection with which negotiations have been heretofore opened in good faith, or which may be hereafter opened in good faith under the act approved December 5, 1924 (43 Stat. L. p. 701), and which shall be executed on or before January 1, 1927, unless the water users affected elect to have the contract governed by this section: *Provided further*, That in the execution of any contract provided for in the last proviso, the Secretary of the Interior shall have authority to arrange for payment of construction charges by any project or division for the calendar years 1926, 1927, and 1928 in proportion to the state of development of the project in those years: *Provided further*, That the Secretary of the Interior is authorized to complete and execute the supplemental contract, now being negotiated and which has been approved as to form by the Secretary, between the United States and the Belle Fourche irrigation district, and at the expiration of said supplemental contract to enter into a permanent contract on behalf of the United States with said district in accordance with the terms of said supplemental contract.

SEC. 46. No water shall be delivered upon the completion of any new project or new division of a project until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or irrigation districts organized under State law providing for payment by the district or districts of the cost of constructing, operating, and maintaining the works during the time they are in control of the United States, such cost of constructing to be repaid within such terms of years as the Secretary may find to be necessary, in any event not more than 40 years from the date of public notice hereinafter referred to, and the execution of said contract or contracts shall have been confirmed by a decree of a court of competent jurisdiction. Prior to or in connection with the settlement and development of each of these projects, the Secretary of the Interior is authorized, in his discretion, to enter into agreement with the proper authorities of the State or States wherein said projects or divisions are located whereby such State or States shall cooperate with the United States in promoting the settlement of the projects or divisions after completion and in the securing and selecting of settlers. Such contract or contracts with irrigation districts hereinbefore referred to shall further provide that all irrigable land held in private ownership by any one owner in excess of 160 irrigable acres shall be appraised in a manner to be prescribed by the Secretary of the Interior and the sale prices thereof fixed by the Secretary on the basis of its actual bona fide value at the date of appraisal without reference to the proposed construction of the irrigation works; and that no such excess lands so held shall receive water from any project or division if the owners thereof shall refuse to execute valid recordable contracts for the sale of such lands under terms and conditions satisfactory to the Secretary of the Interior and at prices not to exceed those fixed by the Secretary of the Interior; and that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall carry the right to receive water unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and that upon proof of fraudulent representation as to the true consideration involved in such sales the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sales: *Provided further*, That the operation and maintenance charges

on account of lands in said projects and divisions shall be paid annually in advance not later than March 1. It shall be the duty of the Secretary of the Interior to give public notice when water is actually available, and the operation and maintenance charges payable to the United States for the first year after such public notice shall be transferred to and paid as a part of the construction payment.

SEC. 47. Subsections E, F, and L of section 4, act approved December 5, 1924 (43 Stat. L. p. 701), are hereby repealed, except as herein otherwise provided.

SEC. 48. The purpose of this act is the rehabilitation of the several reclamation projects and the insuring of their future success by placing them upon a sound operative and business basis, and the Secretary of the Interior is directed to administer this act to those ends.

SEC. 49. Pending the execution of any contract under this act, or the Interior Department appropriation act for the fiscal year 1927, or the said act of December 5, 1924, the Secretary is authorized, in his discretion and when convinced that action looking to execution of contract is being expedited in good faith, to deliver water during the irrigation season of 1926 to the irrigation district, water users' association, or water-right applicant affected, notwithstanding delinquency in the payment of water-right charges which under the law applicable would render such irrigation district, water users' association, or water-right applicant ineligible to receive water.

SEC. 50. The adjustments under sections 1 to 40, inclusive, of this act are declared to be an incident of the operation of the "reclamation law," a final adjudication on the projects and divisions named in such sections under the authority contained in subsection K, section 4, of the act approved December 5, 1924 (43 Stat. L. p. 701), and shall not hereafter be construed to be the basis of reimbursement to the "reclamation fund" from the general fund of the Treasury or by the diversion to the "reclamation fund" of revenue of the United States not now required by law to be credited to such "reclamation fund."

The amendments were 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.

The title was amended so as to read: "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes."

Mr. HARRISON. Mr. President, I ask unanimous consent that the vote by which Senate bill 3926 passed the Senate be reconsidered. I will follow it by a motion that the papers be returned from the House.

Mr. NORRIS. I wish to make a remark about the bill just passed.

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

Mr. HARRISON. I yield.

Mr. NORRIS. The bill we have just passed, I think, is a very meritorious measure, and because of the danger of the delay that would occur I did not propose an amendment which I had suggested to the committee. I only want to call attention to it now so that it may be a matter of record, in case in the future it should ever become necessary to ask for a change. There are a great many farms in the West now waiting for the passage of the bill in order to——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 786, relative to the retirement of classified civil-service employees.

Mr. NORRIS. There are a great many farms in the West waiting now for the passage of the bill in order to enable them to use the water that is absolutely necessary for the production of a crop. On account of those adjustments which the commission made and which are embodied in and approved by the bill, it will be necessary that the bill become a law before some of the settlers, quite a number of them, will be able to use water. They have not been able, on account of excess payments under the law and because of the general agricultural depression, to pay the assessments made in the past. This agreement spreads the payment over a series of years so it is not so heavy.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question?

Mr. NORRIS. Certainly.

Mr. ROBINSON of Arkansas. How were the amounts ascertained which are to be deducted in connection with the respective projects?

Mr. NORRIS. I am not speaking of any deductions. I am speaking of spreading over a number of years the payments that were due. They have not been able to pay them because they have not had crops sufficient to do it. The only way they ever will be able to do it is by raising a crop. These men have beets planted, with water in the ditches just above their land, but they are unable to get the water for their crops that are now on the land. It is very imperative that expedition be had.

There is one settlement made in reference to a part of one project out there where nobody knows now just what the conditions are going to be in a few years, and it is included in this bill. It is in the last section of the bill where the declaration is made that this is a "final adjudication."

Mr. McNARY. Mr. President——

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

Mr. NORRIS. I yield.

Mr. McNARY. There has been a little confusion in the Chamber and I am not sure I heard the Senator correctly. I am curious to know if the Senator is referring to the words "final adjudication."

Mr. NORRIS. Yes.

Mr. McNARY. I can explain that to the Senator in just a moment.

Mr. NORRIS. I am not complaining. I did not want to interrupt the passage of the bill on account of its very great urgency. Even to the extent of suggesting the amendment, I did not want to delay its passage. I simply wanted the CONGRESSIONAL RECORD to show that at the time the bill was passed this particular thing was called to the attention of the Senate, as I called it to the attention of the committee, so that if in the future there should be an adjustment of this particular place there will be a record to show that attention was called to it now. That is all I wanted to do.

Mr. McNARY. The committee considered the particular instance to which the Senator refers, but they thought by excluding the word "final" it might hold out hope to those people that in the future they might come back to Congress and ask for a further deduction. Knowing full well, however, that Congress at any time can amend the act and consider other adjudications which may be deemed wise with respect to the matter mentioned by the Senator from Nebraska, I have no doubt that Congress in its sympathy and tenderness will meet that situation.

Mr. NORRIS. I think so. I only wanted to have the RECORD show that I called attention to it to-day. I hope it may never arise.

Mr. KING. Mr. President, the bill reported by the Senator from Colorado [Mr. PHIPPS] and which has just passed is an important one. I regard it as a just and necessary measure. It would not have been necessary, except for the incompetency and gross inefficiency of bureaucracy. This measure is the product of the maladministration and the incompetency of Federal administration. Beneficent enterprises are often brought to the brink of destruction by the mistakes which are inexcusable and the ignorance and incompetency of Federal bureaus and their personnel.

The Reclamation Service was organized for the purpose of administering the provisions of the reclamation act. The provisions of the act are simple, and its execution did not call for results difficult of attainment. There were millions of acres in the public-land States susceptible of reclamation. The soil of these lands was rich, and with the application of water to the same valuable agricultural crops would be produced. Irrigation in the public-land States was not an experiment when the Newlands bill became a law. The pioneers of Utah in 1847 had demonstrated that the lands in the mountain States and in the intermountain region contained those constituents essential for the growing of various kinds of agricultural products. They took, by canals and dams, waters from the mountain streams, and conducted the same upon the dry and parched lands of the valleys and produced fruits, cereals, vegetables, and nearly all kinds of agricultural crops.

The West developed through and by means of irrigation. The foundations of the Western States are laid in agriculture. It is true mining became and is an important industry, and from the hills and mountains hundreds of millions of dollars of gold, silver, lead, zinc, copper, iron, coal, and other minerals have been taken. Many of the western streams were interstate. Most of them, by reason of the heavy deposits of snow, yielded in the early spring enormous volumes of water which could not be used, but which, if conserved, would irrigate millions of acres of land during the irrigation season.

Large dams were constructed by the people and by private capital, and millions of cubic feet were impounded in these reservoirs and drawn off during the summer months for the maturing of agricultural crops. It was discovered that the Government owned large areas of lands within the States referred to which were practically valueless without irrigation,

and that if the Government desired to dispose of such lands it was necessary that some plan be adopted to secure their irrigation.

The Newlands bill had a double object—first, to make the lands of the Government of value so that purchasers might be found; and second, to carry out the spirit of the homestead act and make available for settlement millions of acres of the public domain. That the Newlands Act has been of incalculable benefit, not only to the West but to the entire country, is admitted by all who are familiar with its operations. That it was wise and beneficial legislation is conceded. Unfortunately in the execution of the act serious mistakes have been made, and the Reclamation Service has in many instances exhibited a high degree of stupidity and gross incompetency. Engineers have been employed who were not competent; projects were adopted calling for large appropriations from the reclamation fund which were foredoomed to failure; and in the administrative branch of the service there has been laxity, inefficiency, and the inevitable inertia which attends bureaucracy.

The estimates of cost in many instances have been not only erroneous but worthless, and thousands of settlers, relying upon such estimates, have been compelled to pay more for water for the irrigation of the lands which they acquired from the Government than their contracts called for. In some of the projects lands were included which were impregnated with alkali or so infertile as to be insusceptible of cultivation and reclamation.

There have been many hardships suffered by settlers upon a majority of the irrigation projects. Thousands of settlers have been unable to meet the vicissitudes and hazards and privations encountered, and were compelled to abandon the lands which they had contracted to purchase.

The reports submitted by former officials of the Reclamation Service have not always been accurate, and too often they have painted pictures without showing the shadows, and this has resulted in persons who were not equipped physically or otherwise to reclaim the raw lands upon which they entered and to meet the hardships which followed. There was not enough common sense exercised by some of the personnel engaged in the Reclamation Service. At times there were entirely too many employees, and there was too much overhead expense, and no inconsiderable amount of waste and extravagance.

The present Secretary of the Interior acted wisely when he made some important changes at the beginning of his administration. He acted wisely in appointing a fact-finding commission to investigate the work of the Reclamation Service, the various projects, and the scope and general activities of the entire scheme. I am not sure that he has been as fortunate in some of the selections for responsible positions in the administrative work of the Reclamation Service. He was most fortunate in the choice of the fact-finding commission, and the exhaustive report which they submitted demonstrates the wisdom of their selection.

This report, as I understand, is the basis, or at least is the justification, for the measure which we have just considered. It reveals that there have been losses and that it becomes necessary to charge off $14,000,000. From many reports which had come to me I had thought that a larger amount would have to be charged to profit and loss.

Mr. SMOOT. Mr. President, will my colleague yield to me?

Mr. KING. Certainly.

Mr. SMOOT. The Senator does not doubt for a moment that there will be more in the future, does he?

Mr. KING. I hope there will be no more. Hope, though, is not always founded on reason, and often suffers great disappointments. If the Reclamation Service fund is to lose an additional sum, we should be apprised of that fact now. I am afraid that the present dose of medicine which we are compelled to take will not be the last one, and I am afraid that if there is another one it will be more bitter than this.

However, we are entitled to expect that the mistakes made by the Reclamation Service in the past may be avoided in the future. If they are repeated, and if others are made which will involve serious losses to the fund, then some drastic course should be taken and some punitive measures adopted. There is no reason why there should be a repetition of the blunders made in the past by the Reclamation Service. I admit that the Federal Government does not and, perhaps, can not accomplish undertakings of this character with the same success as that which attends the efforts of private persons. Executive agencies and bureaus are notoriously inefficient. Congress is called upon many times during each session to pay for the blunders and mistakes and incompetency of Federal employees engaged in the various executive agencies and departments. We will hope, however, that these tragic mistakes committed by the Reclamation Service will be avoided in the future.

I believe that western Senators and Representatives should examine with the utmost care every new project submitted, and refuse to give their support to any plan, measure, or project which does not promise with certainty a successful consummation. The West is on trial in its reclamation activities. The rest of the United States has been fair and generous in its attitude toward this great policy. But if blunders and mistakes shall be a constant attendant upon the work of the Reclamation Service, and the administration of the Newlands law, then this generous attitude may not continue and a critical disposition upon the part of Senators and Representatives from other parts of the United States may be developed.

Mr. President, I hope the Secretary of the Interior will keep a firm grasp upon the machine which directs the reclamation work, and that the reclamation fund may be so employed as to bring the greatest good and results not only beneficial to the West but to every part of our country.

Mr. ASHURST. Mr. President, will the Senator yield to me just at that point?

Mr. KING. Yes.

Mr. ASHURST. About the 24th of April last the Senate Committee on Irrigation and Reclamation reported favorably by a vote of 12 to 3 a bill providing for the issuance and sale of bonds for $125,000,000 to build a dam at Boulder Canyon in the Colorado River. The Senate had previously authorized its Committee on Irrigation and Reclamation to investigate the lower basin of the Colorado River. The committee went to Boulder Canyon, but only one member of that committee other than myself went to the other site.

Mr. KING. Mr. President, there yet remain hundreds of thousands, indeed millions, of acres of public domain which, if irrigated, will furnish homes for thousands of families. The West has not attained its full stature. It has a bright future before it. With improved methods of irrigation, with the conservation of the rivers and the mountain streams and the proper application of the same, the lands which are now arid and unfruitful will become productive and valuable and furnish homes for tens of thousands of American citizens.

I am deeply interested in the development of the West and am concerned in the preservation of the reclamation fund and desirous that it shall be used only for worthy and meritorious projects. I sincerely hope that there will be no more experiments and unwise and improper investments on the part of the Reclamation Service, but that the funds of which it is the trustee shall be sacredly held and so employed as to bring the highest results and insure the development of the West and so promote the interests of all the people of the United States.

Mr. ASHURST. Mr. President, will the Senator yield to me again at that point?

Mr. KING. I yield.

Mr. ASHURST. As an example of the recklessness of the Boulder Canyon Dam bill, the hydroelectric power proposed to be generated at Boulder Dam is 600,000 horsepower, but in order to furnish the city of Los Angeles with potable—that is, domestic—water, ultimately about 600,000,000 gallons daily, it would require one-third of this hydroelectric power, or 200,000 horsepower, to lift this water to a height of about 1,700 feet, whereas if the diversion dam were placed at Bridge Canyon, this water could be sent to Los Angeles by gravity. The Secretary of the Interior and those acting under him have declared that this dam should be placed at Boulder Canyon.

The Hearst papers and many bureaus of the Government are daily bombarding the country with propaganda favorable to the construction of the Boulder Dam, although they know little about Boulder Canyon Dam. Under the Boulder Canyon bill, it is proposed to irrigate about 200,000 acres of Arizona land, whereas if the storage dam were at Glen Canyon and the diversion dam at Bridge Canyon about 3,000,000 acres could be irrigated in Arizona; thus, by placing the dam too far downstream, 3,000,000 acres in Arizona are condemned perpetually to desert. The able Senator from Utah [Mr. KING] in drawing these strictures has not gone beyond the realm of truth.

I ask at this juncture to include in the CONGRESSIONAL RECORD a copy of my individual views upon the Boulder Canyon Dam bill, which bill was reported favorably by the Committee on Irrigation and Reclamation by a vote of 12 to 3, and unless the Senate is going blindly into this matter, it should direct this committee to visit the Glen Canyon Dam site.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. JOHNSON. I object; but I object solely because the report has once been printed in the CONGRESSIONAL RECORD. Why print it again?

The PRESIDING OFFICER. Objection is made.

Mr. JOHNSON. That is the sole reason why I make the objection. The minority report, with the individual views of the distinguished Senator from Arizona, has been printed in the RECORD in full.

Mr. ASHURST. Quite true.

Mr. JOHNSON. Is not that the fact?

Mr. ASHURST. That is the fact. In all the years I have known the Senator, he has always stated facts——

Mr. JOHNSON. I did not intend at this time——

Mr. ASHURST. Just a moment; I have not finished. He always states facts except when writing a report on Boulder Canyon Dam.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. KING. I yielded to the Senator from Arizona.

Mr. ASHURST. Mr. President, Arizona is being unjustly treated in this matter. The State of California so ably represented by the Senators from California contributes not a drop of water to the Colorado River, yet California is demanding 37 per cent of the water of that river. Ninety-seven per cent of the area of Arizona is within and constitutes 43 per cent of the Colorado River Basin, yet it is declared that Arizona shall have practically no water under this Boulder Dam bill. Arizona has 4,000,000 horsepower of hydroelectric energy on the Colorado River in Arizona and yet Arizona will get but a small fraction thereof under this bill.

Mr. KING. Mr. President, I surrender the floor.

Mr. ASHURST. I am not surprised that the Senator does not want my report printed too many times in the CONGRESSIONAL RECORD.

Mr. KING. I am very happy to yield to the Senator from Arizona.

Mr. ASHURST. I have been sitting here some months inwardly agitated although as outwardly calm as a man could possibly be when such an injustice is proposed.

The Colorado River is the most remarkable and dramatic river in the western world, considering its value for irrigation and hydroelectric energy. Other rivers may be used and will be used for irrigation and for hydroelectric power, but for a combination of those two potentialities no other river in America is so pregnant with possibilities. It is proposed that the Federal Government shall issue bonds to the extent of $125,000,000 to construct the Boulder Dam advocated by the Senators from California, although neither of them visited the Glen Canyon site.

Arizona contributes about 28 per cent of the waters of the Colorado River. Of the 6,000,000 firm horsepower of potential hydroelectric energy in the lower basin, seven-eighths thereof is in Arizona, but under the Boulder Canyon plan of development Arizona would not be alloted more than an insignificant fraction of this hydroelectric power. Of the lands in Arizona susceptible of irrigation all thereof must be irrigated by waters from the Colorado River or its tributaries.

Mr. SHORTRIDGE. Mr. President——

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

Mr. ASHURST. I yield.

Mr. SHORTRIDGE. In the statement which the Senator has just made, does he not forget the Gila River?

Mr. ASHURST. I speak of the Colorado River and its tributaries.

California has several million acres of land irrigable by waters other than the waters of the Colorado River.

The Senator from Utah [Mr. KING] spoke of mistakes, and I am pointing out to Senators how a tragic mistake may be avoided if they will build the storage dam at Glen instead of Boulder. I think it would have been but proper and just for Senators charged with the duty of investigating this matter to have gone to the Glen Canyon Dam site also.

Mr. Hoover, the Secretary of Commerce, before the Committee on Irrigation and Reclamation, practically admitted that he knew but little of the Boulder Dam site. We had been told that he knew all about it, but cross-examination disclosed that personally he knew but little of it.

The Secretary of the Interior and the Secretary of Commerce have supplied materials for articles urging the Boulder Dam, but let me tell Senators that one administration attempted to coerce Arizona into joint statehood with New Mexico, and that administration failed; another administration attempted to coerce Arizona upon a matter of her constitution, and that administration failed; and this administration in attempting to coerce Arizona into submitting to the Boulder Canyon Dam project will find after many years of struggle that it has simply been wasting its time; that it has been standing on a sidetrack, like a huge locomotive without driving rods, wasting steam in futile sibilation.

The logical, practical way to develop a river is to begin at the source and work toward the mouth. The Boulder Canyon Dam advocates propose to begin at the mouth.

Mr. JOHNSON. Mr. President, perhaps it is an inappropriate time to respond at all to what has been said by the Senator from Arizona, and certainly it is not the best time at which to descant upon the proposed plan of the dam at Boulder Canyon. I congratulate the Senator from Arizona upon his valiant defense of his State; I congratulate him, too, upon his loyalty to the constituents whom he represents. I recognize it is unfortunate that the administration in the State of Arizona has taken the position it has against this great project, and I recognize, too, that it would be more than unfortunate if anybody upon this floor sought to coerce either the State of Arizona or any other Commonwealth of this land. The Senator from Arizona will bear me out when I say that never at any time during the long discussions of this bill, never at any time while the committee has been passing upon the claims of various localities have I permitted for an instant a suggestion of the coercion of Arizona or of any other State, so far as this measure is concerned or so far as personally I was concerned.

Mr. ASHURST. Mr. President, I take pleasure in saying that in this reckless, relentless disregard of the rights of Arizona the Senator from California has always been courteous. When it was expressly proposed in so many words that hereafter Arizona should never have any water from the Colorado River or any hydroelectric power therefrom unless and until she entered into a certain compact, it was the Senator from California who said, "That is too strong; I can not stand for that."

Mr. JOHNSON. No, Mr. President; the Senator is in error as to that.

Mr. ASHURST. On the face of the Boulder Canyon Dam bill there is a flaming scar of shame in its attempts to coerce Arizona, but the Senator from California, I freely admit, has been courteous and personally considerate.

Mr. JOHNSON. Mr. President, there is no purpose by this bill to do Arizona any injustice; there is no design by any provision of it to affect any particular people to their detriment. It is a tremendous project, sir, with only one design in view, and that is beneficent in its measure and benevolent in its purpose. This project, sir, is not of the nature that has been characterized by the distinguished Senator from Arizona. He says it will cost the United States Government $125,000,000, an enormous expenditure of money, of the people's revenue, and this he denounces. Not at all, sir. This bill will not cost the people or the United States Government a single penny. Before a stroke of work can be done, before any construction can be undertaken, this bill provides that the Secretary of the Interior shall have entered into contracts with those who desire the power and those who wish the water of the Colorado River, which shall adequately finance every dollar that it is proposed to expend in behalf of that project.

This is a condition precedent, sir, to the project itself, and it can not, therefore, be said, in the language of any Senator here, that there is a wanton or extravagant use of the money of the people of this land; for nothing is to be done, no expenditure undertaken—and I can not repeat it often enough—until contracts shall have been entered into by the administration of the Government of the United States financing the entire cost of the whole project. So I do not care to hear further and I do not care to speak further about the question of expense to the Government.

It had been my purpose, sir, in the near future to take up this measure and discuss it before this body. I shall do so in detail. I speak now only of one or two features concerning it because of the eloquent fashion in which the Senator from Arizona has denounced the measure. He speaks in bitter terms of the Committee on Irrigation and Reclamation and says that it forsook its province and did not perform its duty when it did not go to certain locations where he desired it to go. The committee went to the place that the engineers of the United States Government had said was the appropriate location for a dam in the Colorado River. The committee went to the place that every responsible official of the United States Government, from President Roosevelt down, has indicated was the place where the works contemplated by this bill finally should be erected. This project is no will-o'-the-wisp. This is no scheme that developed overnight in the brain of a single individual. This, sir, is a project for the benefit of the people of the United States and the great southwestern part of our territory, which had its inception first in the wise vision of

Theodore Roosevelt in 1907, which from that time on has been investigated by various departments of the Government and different boards of engineers until finally the engineering and the scientific and the technical view crystallized in the selection of Boulder or Black Canyon upon the Colorado River; and no man who has visited that locality could question for an instant the appropriateness of that selection.

Nature there has provided the walls for a dam. There the Colorado River, through the processes of centuries, has bored its course. There rise precipitous cliffs, sir, 1,500 feet in height in some instances. There a dam can be built across by the construction work of engineers economically and scientifically; and there is no location naturally placed in all this land more advantageous or equal to that which is placed at Boulder and at Black Canyons.

Engineering board after engineering board have made their selections. Engineers whose ability and whose integrity and whose knowledge never can be questioned and never can be gainsaid, indeed, have again and again fixed upon this particular place as the place where the dam should be built. The dam is built there because it is the appropriate and the best site even for a unified development of the Colorado River that might hereafter be carried on. It is the appropriate and the best place to begin that development, and Nature herself has made the selection.

The benefits to be derived from this particular locality and from this construction are so manifest and so manifold that none familiar with the project will dare question them. The heat of the Senator from Arizona I pardon, of course. His State has taken a position—I do not care in detail now to discuss it—at variance with the position taken by the responsible officials of the United States Government and at variance with the position taken by every other State that borders upon the Colorado River. I do not deny his right to take that position. I do deny his right to question the attitude taken by every other State that borders upon the Colorado River, and I do deny his right to question the good faith of the individuals who, after years of investigation and toil and scientific work, have located the place for the proposed development as described in this measure.

Hereafter, sir, I shall discuss this measure at length. If it were possible in the limited time that remains of this session, I should move to take up the bill upon the floor here. I am by no means certain that that can be done; but if the session shall lengthen unduly, and if we shall remain here as some individuals believe we shall remain, then the endeavor will be made, sir, to bring this measure up on the floor, to have full, fair, and proper discussion of every part of it, and then pass it and ultimately enter upon this great project.

Is there not anything appealing in the project that rescues 60,000 Americans who are in daily peril from floods of the Colorado River? Is there not anything persuasive in permitting those cities that have grown with a rapidity far beyond the ken of man and the growth of municipalities in the past to go to the Colorado River for the source of their domestic water supply? Is there not anything in the vision of hundreds of thousands of acres reclaimed, not only in one State but in Arizona as well, by the works that are contemplated by this bill? Is there not anything, sir, that appeals to the imagination and fires it in constructing under engineers of recognized ability the highest dam in all this world, and in generating from the water that shall be stored there an electrical current greater than is generated in any place on God's footstool to-day?

We have argued and argued and argued here about Muscle Shoals. Muscle Shoals is greatly inferior in the generation of power compared with what will be developed under the Boulder Dam project. Under the Boulder Dam project sufficient power will be generated to satisfy every community contiguous to the Colorado River, and to satisfy as well every charge that may be made for the construction of that dam.

Mr. ASHURST. Mr. President——

Mr. JOHNSON. I yield.

Mr. ASHURST. The Senator was asking, in his usual eloquent and forceful way, was there nothing in this bill that fired my imagination when I contemplated sixty or seventy thousand people in peril? He obviously referred to the Imperial Valley, did he not?

Mr. JOHNSON. Why, surely.

Mr. ASHURST. Yes, Mr. President; the rescue of the Imperial Valley from its position of peril does fire my imagination; and I think the Senator will do me the justice to say that I have always favored the all-American canal, and favored rescue of the Imperial Valley and the Yuma Valley in my own State.

Mr. JOHNSON. Yes.

Mr. ASHURST. If the Senator will pardon a further statement, my imagination is fired to a greater flare when I reflect that by building the dam at Glen instead of at Boulder, we will rescue those people and their farms three years sooner, because the dam can be built three years sooner at Glen.

Mr. JOHNSON. Mr. President, in that regard let me say that while, of course, the Senator from Arizona firmly and thoroughly believes in that, he has little comfort from engineers of repute, and no comfort from those, save possibly one, who have been going over this project and have been devoting themselves to it for the last few years. Of course, he may have his location in mind at a different point from the Boulder Canyon. I do not question his right or his belief to having any location that may be at a different place; but, sir, the responsible officials of the United States Government to-day—the Secretary of Commerce, the Secretary of the Interior, the President himself, the engineers of the Reclamation Service, who in the past have done their duty and done it fully and done it well—substantially all unite in agreeing to-day that the appropriate place for this particular dam is at Boulder Canyon or at Black Canyon on the Colorado River.

Mr. ASHURST. Mr. President, will the Senator submit to a further interruption?

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

Mr. JOHNSON. I yield. I listened with great interest to the Senator, and I yield to him again.

Mr. ASHURST. If I am doing anything improper, I will desist.

Mr. JOHNSON. No; not at all. Go on.

Mr. ASHURST. I hope the Senator will not feel irritated at anything I say.

Mr. JOHNSON. Not a bit.

Mr. ASHURST. I am sure that if his State were being treated as my State is being treated——

Mr. JOHNSON. The Senator and I, sir, have been dealing with a delicate situation now for many, many months.

Mr. ASHURST. Years.

Mr. JOHNSON. And I do not think that during all that period there has been a single instant when there has been a matter of personal irritation between him and myself in regard to this project.

Mr. ASHURST. I assure the Senator that there never will be, so far as I am concerned. I hope that is true as to his situation.

Mr. JOHNSON. Quite so, sir.

Mr. ASHURST. Now let me call the attention of the Senator from California to this circumstance:

I am willing to trust the President. Let us ascertain if the Republican members of the committee were willing to do so. I proposed an amendment that the dam should be located by a board of seven engineers chosen by Calvin Coolidge. The committee would not trust the President to appoint seven engineers to locate the dam, and that suggestion received no consideration. It seems to me that I am in a better position to say that I have shown loyalty to the President rather than the Republican committee, because I was willing that the site should be chosen by seven engineers appointed by the President.

Mr. JOHNSON. Mr. President, the question is not one of loyalty to any individual or to any official. I owe loyalty, sir, to but one man on the face of the earth, whose self-respect, sir, I must have until the end of my days. That is the individual whose respect I most covet and whose respect at all events I will have. It is true that the Senator from Arizona has asked for a commission that might subsequently fix a location and agree upon one; but, sir, that means in an emergency measure mere delay; and inasmuch as commission after commission have made the selection, to adopt the suggestion of the Senator from Arizona would mean simply that we never would have a bill and we never would reach a termination of negotiations.

Mr. ASHURST. Mr. President, will the Senator permit a further interruption?

Mr. JOHNSON. Yes.

Mr. ASHURST. Then I assume that the Senator will not give me any support in any amendment I may propose that engineers appointed by the President shall select a site?

Mr. JOHNSON. Certainly I will give no support to any such amendment, because engineers selected by the United States Government have fixed the particular site, and it would be simply a matter of delay to appoint another engineering board.

Mr. ASHURST. I ask the Senator as to whether I can depend upon his support to have the committee go to these other sites, Glen, for instance, since he does not see fit to support a decision of the question by a board of engineers appointed by the President?

Mr. JOHNSON. That question would have to be asked of the chairman of the committee. I certainly would not undertake the journey that was undertaken by my distinguished friend and the Senator from Washington to some particular site he desired. So that he would not have my support personally in that regard.

The chairman of the committee, however, accommodating and urbane as he is, might desire to go to Glen Canyon upon snowshoes, or in some fashion by flying machine reach some other inaccessible locality, if it were desired.

Let me repeat, that on February 16, 1918, there was a contract between the Secretary of the Interior and the Imperial irrigation district, and various engineers were selected. The board reported in 1919. Extensive hearings were had. Congress passed the Kinkaid Act directing investigation of the problems of the Colorado. A preliminary report was ultimately completed in the latter part of 1921. In 1922 the Secretary of the Interior formally recommended substantially this project. Public hearings have been heard upon this measure, or upon kindred measures, for five years in the past. The first time in the history of this legislation that legislatively we have progressed at all is in this session, when the Committee on Irrigation and Reclamation, by a vote of 12 to 3, favorably reported this bill.

Notwithstanding the fact that engineers year after year and year after year were testifying in favor of this locality; notwithstanding the fact that men versed in the localities, and understanding all the intricacies relating to the particular project and the various sites, year after year and year after year were testifying before committees in favor of the choice of Boulder or Black Canyon, the hearings were continued and continued and continued, until last year the Committee on Irrigation and Reclamation of the United States Senate went to the very locality itself, so that it might, with a visual inspection at least, form some conclusion of the site that had been suggested.

Finally this bill comes upon the floor of the Senate, to be blocked in the other House in a fashion that I will not at this moment discuss, but to be blocked by the methods with which we have become familiar in days gone by in dealing with projects of this kind.

Sir, no project has been presented in our generation which in any fashion touches, for its beneficent purposes, or for the ultimate wealth it will bring to this land, the project embraced in the Boulder Canyon bill. In all that time there has been presented to the people of the United States or the Congress no scheme, no plan, no constructive work, that could equal even in small degree what this plan means, and what ultimately it will accomplish, for our people.

I close, sir, as I commenced, by iterating and reiterating that, after all, this plan, fraught with such possibilities, rescuing a great pioneering people who have made the desert blossom like the rose; this plan, which will generate more power than any other project in the United States or the world; this plan, sir, which in its engineering possibilities no other scheme on earth equals; this plan, sir, will cost the people of the United States and the United States Government not a single dollar, for every dollar expended is to be guaranteed under written contracts taken by the United States Government before a shovel full of earth shall be turned or before a single bit of work shall be done.

ORDER OF BUSINESS

The PRESIDING OFFICER. Senate bill 786, the civil service retirement bill, is before the Senate as in Committee of the Whole.

Mr. BORAH obtained the floor.

Mr. McNARY. Mr. President, will the Senator from Idaho yield for a parliamentary inquiry?

Mr. BORAH. I yield.

Mr. McNARY. The Senator from Mississippi [Mr. HARRISON] either moved or asked unanimous consent for a reconsideration of the vote by which the bill known as the "hamper" bill was passed. I do not know what action was taken, if any, on the matter, and I would like to know.

The PRESIDING OFFICER. The Senator from Mississippi yielded to the Senator from Nebraska [Mr. NORRIS] when the hour of 2 o'clock arrived, and the Chair laid before the Senate the unfinished business. The motion of the Senator from Mississippi therefore was not acted upon.

Mr. McNARY. Did the Senator make a motion or did he ask unanimous consent?

The PRESIDING OFFICER. Unanimous consent was requested.

Mr. McNARY. The request was not put?

The PRESIDING OFFICER. The request was not put.

Mr. McNARY. I thank the Presiding Officer.

THURSDAY EVENING SESSION—THE CALENDAR

Mr. CURTIS. Mr. President, will the Senator from Idaho yield to me to submit a unanimous-consent request?

Mr. BORAH. I yield for that purpose.

Mr. CURTIS. On Friday, when I asked that the order be canceled setting aside Friday evening by unanimous consent for the consideration of the calendar, I promised a number of Senators that I would ask for a night meeting early this week, and I submit the following unanimous-consent request.

The PRESIDING OFFICER. The clerk will read the unanimous-consent request submitted by the Senator from Kansas.

The Chief Clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, by unanimous consent, That on Wednesday, May 19, at not later than 5.30 o'clock p. m., the Senate take a recess until 8 p. m., and that at the evening session the calendar be taken up for the consideration of unobjected bills on said calendar, beginning at Order No. 728, and that when the calendar is concluded for unobjected bills the calendar be called for the consideration of bills under Rule VIII; that the evening session shall continue until not later than 11 p. m.

The PRESIDING OFFICER. Is there objection?

Mr. ROBINSON of Arkansas. Some Senators can not be present Wednesday night.

Mr. CURTIS. I will agree to Thursday.

Mr. ROBINSON of Arkansas. Thursday night will be all right. Any night would suit me personally.

Mr. CURTIS. I ask that the order be made for Thursday evening.

Mr. McNARY. Eleven o'clock is rather a late hour. I suggest that we sit from 8 to 10, or from 7.30 to 10.30.

Mr. CURTIS. Let us go on until 11 o'clock.

Mr. KING. I suggest a compromise on 10.30.

Mr. ROBINSON of Arkansas. I suggest to the Senator from Oregon that the order proposed gives the Senate liberty to adjourn at any time it shall desire to do so. It merely restricts the session to a time not later than 11 o'clock p. m.

The PRESIDING OFFICER. Is there objection to the proposed order fixing Thursday evening for the calendar? The Chair hears none, and, without objection, the unanimous-consent request as modified is agreed to.

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 concurrent resolutions of the Senate:

S. 1729. An act to authorize the payment of an indemnity to the Government of Norway on account of the losses sustained by the owners of the Norwegian bark *Janna* as a result of a collision between it and the U. S. S. *Westwood;*

S. 1731. An act to authorize the payment of an indemnity to the Government of Sweden on account of losses sustained by the owners of the Swedish steamship *Olivia* as a result of a collision between it and the U. S. S. *Lake St. Clair;*

S. 1732. An act to authorize the payment of an indemnity to the Government of Norway on account of the losses sustained by the owners of the Norwegian steamship *John Blumer* as a result of a collision between it and a barge in tow of the U. S. Army tug *Britannia;*

S. 1733. An act to authorize the payment of an indemnity to the Government of Denmark on account of losses sustained by the owners of the Danish steamship *Masnedsund* as the result of collisions between it and the United States ship *Siboney* and the United States Army tug *No. 21* at St. Nazaire, France;

S. 2606. An act to prohibit offering for sale as Federal farm-loan bonds any securities not issued under the terms of the farm loan act, to limit the use of the words "Federal," "United States," or "reserve," or a combination of such words, to prohibit false advertising, and for other purposes;

S. 2822. An act authorizing Rear Admiral Edwin A. Anderson, United States Navy, retired, to accept the silver service tendered by the Government of Panama;

S. 3560. An act to authorize the granting of leave to ex-service men and women to attend the annual convention of the American Legion in Paris, France, in 1927;

S. 3768. An act granting the consent of Congress for the construction of dam or dams in Neches River, Tex.;

S. 3958. An act to provide for the permanent withdrawal of certain lands adjoining the Makah Indian Reservation in Washington for the use and occupancy of the Makah and Quileute Indians;

S. Con. Res. 12. Concurrent resolution to provide for the printing of the Constitution of the United States, as amended, to April 15, 1926, together with the Declaration of Independence, as a Senate document; and

S. Con. Res. 17. Concurrent resolution to print 10,000 additional copies of the hearings held before the Committee on the Judiciary of the Senate on the modification of the national prohibition law.

ALIEN PROPERTY ADMINISTRATION

Mr. BORAH. Mr. President, I want to call attention, as briefly as I may, to the facts relative to our alien property administration, and as to the duty which it seems to me confronts Congress at this time in reference to that matter.

It is not my purpose to discuss the matter at length, but rather to confine myself to a discussion of what may be accomplished at this session in the way of disposing of this problem. A more detailed discussion may be left to the time when the bill is before us for consideration.

During the war we seized a large amount of property belonging to aliens, and that property to a very large extent is still in our possession. At the time of the seizure of the property it was clearly made known both by the executive department and by the Congress that the purpose was to hold the property until the close of the war and then to return it. I shall not delay the Senate by reading from the CONGRESSIONAL RECORD or from public statements, which I might do, to show unmistakably the intent of the Government at the time of the seizing of the property.

Congress is now confronted with the task of returning this property or of adjusting the problem in some way. After eight years of discussion it is still apparently as far from determination as it was immediately after the close of the war. We can not in justice to all concerned or in harmony with our plain duty delay this adjustment longer.

There are only three courses, it seems to me, Congress may pursue. In the first place, we may return this property, as it was the evident intention of the Government at the time of the seizure to do, and as would be in accord with the established policy of this Government from the beginning of the Government.

For more than 150 years we have been foremost among the nations in advancing the enlightened and humane policy of exempting from the devastating course of war the property of aliens. The origin of the policy is associated with the name of the great patriot and humanitarian, Benjamin Franklin. We have written it in our treaties and in our conventions, and have urged that policy at different times when we have met with other nations with a view of ameliorating the harsh code of war. It has had the commendation and approval of the leaders of our national life from the beginning of the Government until now. I do not believe that the men now in charge of public affairs will want to challenge that record, or go back to the days of barbarism, when nations not only confiscated property but enslaved men and women, as a precedent or justification for their action.

Confiscation of alien property has never had a permanent place in our national creed, and I do not believe that we should insert it now. Our tradition, our fine example, and our leadership in this matter, are worth more to us than this property, to say nothing of the sheer material advantage which the maintenance of our policy, heretofore sustained, will be to us in the future.

Secondly, we may confiscate this property and use it for the purpose of paying the American claimants. I say that we may confiscate it. I do not myself think we could do so constitutionally. I have no doubt about that. Assuming, however, that we would have the constitutional power to confiscate the property, that is the second course which we might pursue.

Third, we might permit it to remain where it is until, through extravagance and waste and corruption, it should have been dissipated. It is against that proposition that I particularly desire to protest at this time. If our national policy is to be abandoned, it should be done openly and decisively and with as much decency as possible.

Whether we shall return the property, as I believe we should, in accordance with our traditions and our policy heretofore, or whether we should utilize it in paying American claimants, are matters about which we might indulge just debate. But I am unable to see upon what possible ground we can longer decline to act in regard to the matter. Eight years have passed; the American claimants now have their claims adjudicated; the facts and figures and circumstances are before us, ready to be passed upon by the Congress, and to delay it is to work confiscation through a method which none of us would wish to approve. Delay is reprehensible from every viewpoint. It is a manifest and flagrant disregard of duty.

There has already occurred much concerning the administration of the property which ought to incite us to speedy action. There can be no possible doubt that millions and millions of dollars of the property have been wasted, dissipated in different ways. It now appears that some of it has been embezzled and stolen—how much we do not know. My own opinion is, from what I have been able to gather, that we have only scratched the surface with reference to exposing the intolerable methods of the administration of the property. For instance, in the matter of attorney fees alone I mention one of the ways which I presume would be successfully defended under the law, and yet one has only to glance at the report to conclude that even in this respect the course of the administration has been—I was about to say unmoral, but certainly it has been extravagant and wasteful.

I have before me the report of the Alien Property Custodian and I have, beginning on page 485, a list of the attorneys who have been employed from time to time in the administration of the property. I find that list, in fine print, covers 33½ pages. It is perfectly shameless, and the sorry part of it is that apparently the great profession has had a keen scent for this rendezvous of exploitation. I have looked into this matter and this expense item is discreditable. I mention this as one of the items of waste and extravagance and unjustifiable expense, but do not to-day go into a discussion of that form of dissipation, which can not be justified upon any ground, moral or legal.

It is the duty of Congress, it seems to me, as we now have the facts and figures, to dispose of the question, to return the property or to take it over and, if we may under the Constitution, apply it to the payment of American claims, and then if there be any left to return it, whatever it may be.

I do not think the latter course could be justified. At the same time I realize there are those who believe or at least contend that that ought to be done. But I say to those and to all concerned that this particular question should be disposed of at this particular Congress. Whatever Congress concludes, let us conclude now. If we are going to take this property and turn it over to American claimants and put the balance in our Treasury, let us do it and do it now. Let us not shirk our job, unpleasant as it may be.

Now we come to the question of American claimants. That proposition has been associated with the question of return of the alien property. From my viewpoint it never should have been associated with it, but it has been associated with it, and I am perfectly willing to discuss and dispose of the question in the light of the fact that it is now associated with the question of the property in the possession of the Alien Property Custodian.

I understand the commission which was to pass upon the claims of American claimants estimate now that those claims will amount to between $180,000,000 and $190,000,000.

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

Mr. BORAH. Certainly.

Mr. SWANSON. That excludes between $70,000,000 and $80,000,000 expected to be found for the United States. I think it is about $180,000,000 for the individual claimants and between $70,000,000 and $80,000,000 in favor of the United States. Is not that true?

Mr. BORAH. No; I do not so understand it.

Mr. SWANSON. That is my understanding.

Mr. BORAH. The Senator may be correct. I will not controvert it until I look further, but the figures I have did not give me that impression. But let us assume that I am now confining my remarks entirely to claimants aside from the United States. The figures given us in regard to those claims are about $180,000,000 to $190,000,000. We have in the alien property fund what is called an interest fund of about $30,000,000. This is a fund which was the result of interest accumulated. About $26,000,000 of that may be properly said to belong to German claimants and the balance to Austrian and Hungarian claimants. So we may say we have about $26,000,000 of this fund which should belong to the German claimants.

The fund arises, according to my understanding, in this way, or is accumulated in this way: It is interest which has been realized upon investments of the property, but which, by reason of the method of the keeping of accounts, they are unable at this time to associate with any particular claimant; that is, they are unable to allocate the interest to any particular individual or as having been earned by any particular individual's property. It leaves a fund accumulated which

can not be assigned apparently and which for that reason it has been thought justifiable to be regarded as a fund out of which to pay American claimants. I presume that if they can not be allocated or can not be associated with a particular claimant, possibly it must inevitably go to the United States or else be used in that way. We have at the same time about $8,000,000 which we have accumulated from German reparations claims, making about $34,000,000 altogether.

My understanding is that the individual claimants having death and injury claims have been assessed a sum equal to about $4,250,000, including about 425 claims. We could, therefore, very well, if we desire, pay all death claims or injury claims out of the $34,000,000 which we have by reason of the interest fund and by reason of the reparations fund. We could, if we desired, also pay the claims which are under the sum of $25,000, which amount to about 2,275 in number. If we should pay all death and injury claims and all claims under the sum of $25,000, we would have appropriated or used of this fund something like $13,100,000. This would leave about 540 claims altogether unpaid. If we should see our way clear, we could pay $25,000 upon each of those claims, which would use about $13,500,000. We would still have some $8,000,000 of this interest fund and reparations fund unused, notwithstanding we had paid all death claims and injury claims and all claims under $25,000, and $25,000 upon each of the other claims.

That proposition has been made in a bill by Mr. NEWTON, which is now pending in the House. It seems to me that is a basis at least for a working proposition or settlement. The proposition is further made that after paying these different sums which I have indicated there shall be issued what are called participant certificates to those people who would have something coming to them yet on the 540 unsettled claims. It has been estimated that the reparations fund would settle all these claims in 8 years, and that the Government of the United States would be made whole in 15 years.

I call attention to this not as necessarily advocating the specific method of settlement at this time, although I think it well worthy of our consideration, but to reveal the fact that we may take the fund which is now conceded upon all hands apparently to be usable for the purpose of settling these claims, and so adjust them and so settle them as not to impose upon the Treasury of the United States any permanent expense at all, or not to incur the necessity of paying out of the Treasury anything in the way of permanent payments in the adjustment of the claims.

I do not think, therefore, that we can justify delay in the settlement of the problem until the next Congress. If we do delay, there will be some $10,000,000 of interest annually accumulating upon the American claimants' claims. The next session in all probability will give us very little time to dispose of the matter, because it will be a short session. If we should be unable to take care of it at that session we would be faced with the proposition of postponing the settlement of the problem for some two years. That would be manifestly unjust to the alien property claimants and manifestly unjust to the American claimants. What reason could be assigned for the delay it would be difficult, it seems to me, to suggest.

I know that there is a hesitancy in certain quarters about disposing of the matter. I am of the opinion that that hesitancy arises very largely out of the fact that when we come to make a settlement we must also have an accounting. I am of the opinion that that accounting is greatly feared; that when we come to account for this property, the manner and method of its administration, and the manner in which a large portion of it has been disposed of, and to make a full and final report upon the subject, it is feared that the facts which have already been revealed are but a circumstance compared to those which may be revealed. But, Mr. President, the problem is here. We must at some time meet it. If we judge the future by the past, the longer it is delayed the worse will be the day of accounting when we come to make it.

The matter is now pending in the other House; I do not know what action will be had there, but I should like to say to those who are in charge of the program of this body that I sincerely hope a place will be given to this measure so that it may be disposed of before this session of Congress shall adjourn.

Mr. WILLIAMS and Mr. CURTIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and, if so, to whom?

Mr. BORAH. I yield first to the Senator from Missouri.

Mr. WILLIAMS. Mr. President, I desire to understand the attitude of the Senator from Idaho. I understand that his position is that the property now in the possession of the Alien Property Custodian was not confiscated in time of war?

Mr. BORAH. My idea is, if we were going to discuss that question, that as we did not confiscate the property in time of war, that in time of peace we can not confiscate it. If we were going to confiscate it, we had to do so during the war.

Mr. WILLIAMS. And inasmuch as it is held by a trustee under a common law trust, it must be returned to those to whom it belongs?

Mr. BORAH. That is my idea of it as a legal proposition.

Mr. CURTIS. Mr. President——

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

Mr. BORAH. I yield.

Mr. CURTIS. I simply desire to ascertain whether a bill on this subject has been introduced in the Senate and referred to the Senator's committee?

Mr. BORAH. During the last session of Congress I introduced a measure providing for the return of the alien property. I introduced that measure with some changes in it at the beginning of the present session. I think the Senator from Utah [Mr. KING] also reintroduced his bill relative to the same matter. Those measures went to the Committee on the Judiciary. Shortly after they were introduced the Treasury Department announced to the public that it was working out a measure which would dispose of alien property and at the same time settle the American claims. That caused delay in the consideration of those particular measures. Afterwards the administration caused to be introduced into the House of Representatives a bill undertaking to dispose of both those questions. My opinion is that that particular measure has no longer any considerable support in the Congress. Since that time another measure has been introduced by Mr. NEWTON of Missouri which is largely in accordance with the facts which I have given this afternoon with reference to a settlement.

Mr. CURTIS. Mr. President, will the Senator from Idaho yield at that point?

Mr. BORAH. I yield.

Mr. CURTIS. I wonder if the Senator from Idaho or the Senator from Utah, who have introduced these measures, could not hasten action by securing committee action on the bills which they have introduced. The steering committee of the Senate can not very well set aside time for the consideration of a measure until it shall have been reported and placed upon the calendar.

Mr. BORAH. Mr. President, I will say very frankly to the Senator from Kansas that I have about given up hope of getting a measure considered here through the ordinary channels, and I have prepared an amendment comprising the terms of the Newton bill, which amendment I intend to offer and expect to offer upon a certain measure which will be coming along very shortly.

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

Mr. BORAH. I yield.

Mr. LENROOT. Can the Senator from Idaho give the Senate any information as to what Germany has done with the property of American nationals which was taken by her during the World War?

Mr. BORAH. My understanding is—of course I have not such official information that I would be able to state that I am correct—that Germany has settled the American claims.

Mr. LENROOT. My understanding is that she has returned all property, but I did not know whether or not she had settled all claims.

Mr. KING and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield first to the Senator from Utah.

Mr. KING. There were many million dollars deposited by Americans in German banks at the outbreak of the World War. Germany has not adequately settled for those claims; she has settled upon the basis of the mark at 3, 4, or 5 cents.

Mr. LENROOT. But she has returned all physical property taken.

Mr. KING. I think she has returned most of the physical property taken.

Mr. SMOOT. As I understand, all that she has returned has been the physical property taken.

Mr. KING. She has returned the physical property, but she has not liquidated what might be called choses in action or claims founded upon cash deposits in German banks.

Mr. BORAH. We are proposing to settle here a large number of claims of that nature, but, Mr. President, I will ask to insert in the RECORD what has been given me as a report from the German alien property custodian concerning the treatment of American property in Germany.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho to insert certain matter in the RECORD?

Mr. SMOOT. Mr. President, I should like to have the Senator have it read in connection with this discussion, in order that we may understand just what the situation is.

Mr. KING. It is very long.

Mr. BORAH. It is a very long report. However, let me read some excerpts from the authorities upon which I have been relying for the statement which I made:

[From American Journal of International Law, October, 1918, p. 759]

In the beginning Germany took no action whatever against enemy property or business undertakings, and even after it was known in Germany that the French courts were proceeding to sequestrate German property and houses of trade, the Germans went no further than to place French undertakings under supervision. Unlike the French measures, it was said, this policy of surveillance did not generally prohibit the carrying on by their owners or agents of French business enterprises in German territory. The official supervisors under whose oversight these enterprises were placed were limited mainly to seeing that the business was not operated to the detriment of the national interests. There was no seizure of enemy goods and no serious interference with the management of enemy houses of trade or business undertakings. It was only after the French policy of wholesale sequestration had been adopted and put into effect that Germany felt obliged as a measure of reprisal to resort to a similar policy, as she did by the decree of November 26, 1914.

I read also:

[From Journal of the Society of Comparative Legislation, January, 1915, p. 54]

Suffice it to say that the emergency provisions taken as a whole are creditable to Germany and its jurisprudence. They exhibit no spirit of vindictiveness.

Also:

[From North American Review, article by Joseph Conrad Fehr]

In all fairness to Germany it should be stated here that the German alien property custodian has done everything within his power to return American and other allied property seized by him during the war. The report of the German alien property custodian concerning the treatment of American property in Germany under his administration, published for the year 1921 (Reimar Hobbing, publisher, Berlin), gives an elaborate account and detailed list of the properties taken under the custodian's jurisdiction.

And that report, Mr. President, comprising some four or five pages, I ask to have inserted in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

From report of the German alien property custodian concerning the treatment of American property in Germany, February 21, 1921:

"The German alien property custodian was first called into being on the basis of a decree of April 19, 1917. (Imperial Law, p. 363.)

"The custodian began his activities on May 1, 1917.

"The general requirement that all American property in Germany be reported to the custodian was not made, as has been said, until the issuance of the decrees of January 24 and 30, 1918.

"The privilege of canceling contracts with the citizens of other enemy states was not extended to apply to the United States of America until the decree of December 31, 1917. (Imperial Laws, 1918, p. 5.)

"Securities, jewelry, and office furnishings were left where they were when the war with America came.

"In order to interfere as little as possible in the relations between the German banks and their foreign clients an agreement was reached with the banks under which they were left in possession of all enemy properties—credits, deposits, and other things of value.

"It will be seen from the foregoing that the effects and other credits left with the German banks by the custodian but taken under his administration were not sold. Nor did any sale of obligations, stocks, or other securities belonging to foreigners take place by orders of the custodian, except where the bank in individual cases asked permission to sell as a result of directions from the foreigner in question or from his authorized representatives, or for the protection of his interests.

"Safe-deposit boxes rented by enemy aliens in German banks were neither opened by the custodian, although he had a right to do so, nor were their contents confiscated, as was frequently done in enemy countries with the safes of German citizens. This, of course, does not render it impossible that in individual cases, by order, for instance, of the military authorities, safes of foreign renters were forcibly opened. But the custodian knows of no case in which safe-deposit boxes rented from the German banks by American citizens were subjected to such measures.

"As to American property there was an official supervision and a compulsory administration, but not a single case of liquidation, despite the fact that this was possible under the law.

"Nevertheless, the compulsory administrators were and are the representatives and caretakers of foreign property and as such obligated to protect the interests of the owners in the most conscientious manner.

"Reference may be made here, for instance, to the compulsory administration of the International Harvester Co., which was conducted by the legal administrator in such an excellent manner in the interest of the Americans that the vice president of the American company during a visit in Germany expressed to the administrator his special gratitude.

"The outright sale of undertakings to newly organized companies took place in only a few cases, and then only when such measures were necessary for the protection of American property interests.

"Although Germany, after the conclusion of the armistice, but before the conclusion of peace, would have been justified in continuing her measures against enemy property, and the alien property custodian in particular could have continued to exercise his authority in such cases—that is to say, by bringing under his administration property which he had not theretofore touched—nothing of the kind was done.

"It is repeated here that the German alien property custodian has as his principle only the duty of administering enemy property—that is, of preserving it for the owners—but not of selling or otherwise liquidating it.

"The coming into effect of the peace treaty on January 10, 1920, imposed upon the alien property custodian the important task of making his accounting and winding up his affairs.

"Germany, in the decree of January 11, 1920 (Reichs laws, p. 32), regarding the cancellation of all ordinances of legal effect serving the purposes of economic warfare, also canceled all these laws as against the United States of America. Hence any economic reprisal or war measures against America, especially so far as the custodian is concerned, are out of the question.

"Moreover, the custodian, in accordance with article 3, section 2, and article 6 of the decree of January 11, 1920, has simply the duty of caring for the properties in his charge in the interests of the owners until such time as they shall be returned and of protecting the owners' interest.

"In the case of citizens of the formerly hostile countries the course of affairs in respect of the custodian has been such that in cases in which property of enemy aliens living in Germany had been taken under the custodian's administration, it was released immediately upon request.

"In similar manner deposits and securities of enemy aliens in German banks and subject to the administration of the custodian are released upon motion.

"Interest due on capital since January 10, 1920, and also the proceeds of coupons and dividends are no longer delivered over to the custodian and are not even subject to his disposition.

"The cash deposits of formerly enemy aliens in German banks are released at once by the custodian upon motion, provided the clearing system is not to be applied; but under article 296 of the peace treaty the owners who are citizens of one of the states that have chosen the clearing system and who live in such state have no right to dispose over their deposits. The demands of citizens of those states that have as yet not ratified the peace treaty can not be adjusted until such time as the minister of reconstruction, under the act for the execution of the peace treaty of August 31, 1919, shall have given official notification that the state in question has decided not to accept the clearing system.

"The total value of property reported to the custodian as belonging to citizens of the United States in Germany amounted, apart from the compulsory administration, to about 206,152,000 marks, to which are to be added deposits of securities reported by the banks, with a nominal value of about 126,000,000 marks.

"About 200,000,000 marks, in addition to the deposits of securities, was simply taken under administration nominally by being booked—that is, left in charge of the debtors.

"From compulsorily administered or supervised undertakings in Germany belonging to Americans or from American interests in German undertakings there was transferred to the custodian about 67,000,000 marks, to which must be added about 27,000,000 marks in securities. There was paid out by the custodian to enemy owners about 68,000,000 marks from the proceeds of compulsory administrations and supervisions, including stocks.

"All together the custodian has thus far (February 21, 1921) released or delivered to American citizens, including these securities owned by Americans, property having a total value of at least 145,000,000 marks.

"The figures given above do not include the releases of property which was not reported to the custodian at all and whose existence did not come to his knowledge until later. Thus, for example, before January 10, 1920, he permitted the delivery to an American banking firm of German war loans of a nominal value of 16,000,000 marks which had been in the keeping of a large bank here.

"In respect of securities held by German banks for their American owners, they could and can be given free at any time by the custodian

upon motion of the owner, which can best be made through the agency of the bank in question.

"American security accounts with German banks have already been released by the custodian and have undoubtedly for the most part been handed over already by the banks to the American owners."

Mr. SWANSON. Mr. President, I am not going to discuss very elaborately this matter until a specific bill shall have been brought before the Senate providing for the disposition of this property; but I do not wish the impression to prevail, without expressing my dissent, that there would be any confiscation on the part of the United States if it should apply this property to the debts which Germany owes the United States and also owes citizens of the United States.

I wish, in a general way, to state the situation. There are about $250,000,000 in the hands of our Alien Property Custodian, the residuum left after making certain payments under present statutes. As I understand, including between $70,000,000 and $80,000,000, which the Mixed Claims Commission will find in favor of the United States Government and the claims of the American Nation against the German Government will be about $250,000,000, this will be the ultimate amount found to be due to the United States and its citizens from Germany.

Mr. BORAH. Mr. President, may I ask the Senator, does he take the position that constitutionally we can now confiscate the property now in the control of the Alien Property Custodian?

Mr. SWANSON. I will reach that later. As I have said, about $250,000,000 are due American citizens of the United States Government. In addition, under the provisions of the Dawes reparation agreement or settlement, about $500,000,000 is actually due the United States on account of its army of occupation. We reduced that amount about half under the Wadsworth agreement by disallowing all interest. It was said to be impossible for the Dawes report to be made operative unless the United States would agree to waive its priority under the Wadsworth agreement for what was due on account of the army of occupation. We entered into an agreement by which we did that; and, after allowance for certain claims which were indispensable in order to make operative the Dawes plan of settlement, we obtained, or are entitled to, about $250,000,000, or in the neighborhood of one-half of what was due us on account of the army of occupation. It is payable in 20 annual payments, I think, and it is provided that when the $250,000,000 shall be paid, the provision under this clause of the Reparation Commission shall cease.

Mr. KING. Mr. President, if the Senator will yield, it ought to be stated that when we settled for the army of occupation we relinquished more than $100,000,000 in interest which was due from Germany.

Mr. SWANSON. If we were to allow the interest to accrue at the rate of 5 per cent, the basis on which other nations settled, up to the time of payment more than $500,000,000 would be due us. That is what we would be entitled to under the Versailles treaty on account of the cost of the army of occupation which was to be a first lien on everything. France, Belgium, and Great Britain have obtained the full amount due to them on account of their armies of occupation.

Mr. BORAH. Mr. President, Germany has paid that bill once.

Mr. SWANSON. Never to us.

Mr. BORAH. Yes; she paid it to us, but did not leave it in safe hands, and when we arrived the till was empty.

Mr. SWANSON. Germany paid certain money to the Reparation Commission to be distributed for all of her obligations; but it did not amount to 50 cents on the dollar of what she agreed to pay under the Versailles treaty. The Senator can not argue that the American claim was paid.

Mr. BORAH. No; but I say that Germany herself paid that amount, and it was understood that it should go to us. We have no quarrel with Germany, because she paid it.

Mr. SWANSON. We have never obtained it.

Mr. BORAH. No; but it was not the fault of Germany.

Mr. SWANSON. We have never obtained any of the money that is due us on that account, which was only half of what we ought to get. We waived that for another priority.

Under clause 2 of the Dawes agreement we get 2¼ per cent of German reparation payments, but the payment to us under this claim can never exceed $11,000,000 a year on account of deductions of various items which are given priority. I am apprehensive the amount paid will be far less than $11,000,000. That is all we will ever get on payments made by Germany for reparations under the Reparation Commission. Conservative people estimate that the sum to be received by us will not amount to more than seven or eight million dollars a year, and the payments can never exceed, as I have said, $11,000,000.

On account of Germany's submarine warfare, on account of the sinking of the *Lusitania*, on account of the killing of 300 American citizens, on account of the sinking of between three and four thousand tons of shipping ruthlessly and illegally, on account of the seizure of our property in Germany by the German Government, the Mixed Claims Commission found about $250,000,000 to be due us, with interest at the rate of 5 per cent, except where otherwise specified by the German Government. The interest on the $250,000,000 found to be due will amount to more than all the reparations each year that we will receive outside the amount paid to us for the army of occupation.

Mr. BORAH. Do I understand, then, the Senator is in favor of confiscating this property?

Mr. SWANSON. I will come to that later. Now, let us see what the situation is.

Mr. BORAH. If the Senator is in favor of confiscating the property——

Mr. SWANSON. I am not in favor of confiscating it.

Mr. BORAH. Very well.

Mr. SWANSON. But I differ from the Senator in respect to it. I am in favor of making Germany fulfill the promise that she made to America that this property could be taken to pay her obligations.

Mr. BORAH. Mr. President, Germany has complied with the only request that the United States made in the way of paying reparations for damages. If anyone was at fault, it was those who represented the United States in not asking for more than 2¼ per cent.

Mr. SWANSON. The Senator is mistaken as to that.

Mr. BORAH. No; I am not mistaken.

Mr. SWANSON. I refer to the original promise. She subsequently made an agreement under the Dawes plan——

Mr. BORAH. I understand that.

Mr. SWANSON. By which she was to dedicate $250,000,000 to pay the cost of the army of occupation, not to pay the damages that her citizens or her Government did to Americans.

Mr. BORAH. All I am asking is that the American claims shall not be postponed until that payment takes place.

Mr. SWANSON. The agreement that the Senator supports here will amount to this: Germany has agreed that $250,000,000 shall go to pay the costs of our army of occupation under the Dawes agreement, prior to everything else except some few things that we consented should be put ahead of it. That is an agreement that Germany has made. That is an agreement that she has entered into, and it has not yet been fulfilled.

Mr. BORAH. Is the Senator in favor of taking the property which her citizens invested here and using it for the purpose of paying that claim?

Mr. SWANSON. I will get to that.

Mr. BORAH. That is the question which I should like to have answered. You may call it by another name, but it is confiscation.

Mr. SWANSON. The Senator will hear my answer if he will just keep his seat a few minutes. He will hear me fully on it.

Now let us see what the situation is. Here is $250,000,000 that Germany's own commission and her own citizens and representatives on that commission concede is due from Germany for the wrongs she did to the United States Government and to American citizens. Germany has agreed to pay $250,000,000 for the cost of our army of occupation; and 2¼ per cent yearly of the reparation payments, which can never exceed $11,000,000, and which I do not think will amount to more than seven or eight million dollars, and which some people do not think will amount to anything, will not pay the interest on the $250,000,000 found against her.

What is the proposition now? We might just as well be frank about it. It is to take the $250,000,000 that Germany has agreed to pay for the cost of the army of occupation and apply it to the claims that Germany owes American citizens and return this property to German claimants of the property. That is the proposition stripped of all the subterfuge that envelops it. In other words, to do what? The Senator has given a little different version of it in regard to the matter of interest. The shadow follows the substance not more than interest follows the principal, and you can have all the argument you please; the fact remains that if the Germans are entitled to this property they are entitled to the accrued interest as much as they are entitled to the property itself.

Mr. BORAH. I perfectly agree with the Senator as to that, if we can find the man to pay it to.

Mr. SWANSON. All right; you can find him. You can distribute it among all of them. That is simply an effort to do what? The entire proposition not only amounts to that;

it lets the United States waive the $70,000,000 due it for killing 306 of our citizens, due us for sinking our ships, due us for ruthless submarine warfare that compelled us to spend billions of dollars to vindicate our rights. We are to surrender all we get for these damages and wrongs; and then we are to waive the costs of this army of occupation which went there at the request of the Allies and which Germany was reluctant to have leave, which went there as much to give protection to Germany as it did to preserve any rights we had.

Mr. BORAH. Mr. President——

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

Mr. SWANSON. I yield.

Mr. BORAH. As I understand the Senator, he is in favor of confiscating this property and paying these debts.

Mr. SWANSON. I will get to whether it is confiscation or not.

Mr. BORAH. I am perfectly willing to meet that issue here. What I am saying to the Senator is, if it is to be confiscated, let us confiscate it at this session and not wait for it to be dissipated and stolen and corrupted away, so that it will be confiscated in another method.

Mr. SWANSON. The Senator calls it confiscation. Now let us see what the situation is under international law.

The scheme that is being advocated—not by the Senator; I have not heard him take that position, but by this administration and by the various bills that have been introduced—would amount to what? That American taxpayers should pay for sinking the *Lusitania;* that American taxpayers should pay for the 306 American soldiers, sailors, and citizens destroyed by Germany in ruthless submarine warfare; that American taxpayers should pay for the 300,000 to 400,000 tons of American ships sunk by German submarines; that American taxpayers should pay for property seized in Germany and for which she has failed to pay. I am unwilling to be a party to any scheme that will put further burdens on the taxpayers of America for the very outrages that forced us into the war.

Mr. BORAH. Mr. President, I am perfectly willing to join the Senator upon that proposition; but the taxpayer will have to pay it all if the confiscation continues as it is now going on and as it has been going on for the last eight years.

Mr. SWANSON. As to the confiscation, I am willing to have that investigated; I am willing to have that properly provided for; but I am not willing, under a claim that this property is being destroyed, that it shall be used in such a way as to make the taxpayers of America pay for the very outrages perpetrated by Germany upon this Government and her citizens. It is not right. There is no international law that can make it right. There is no elementary principle of justice that can make it right; and you can not throw the cloak of any international law around you and make it just and right and proper that America and her taxpayers should pay for the wrongs perpetrated by Germany on our Government and our citizens. Let us see whether it is right and whether it is confiscation or not.

When the Knox resolution of peace with Germany was passed, it was provided in that resolution, which Germany afterwards acquiesced in, that this property should be used to pay——

Mr. BORAH. No, no.

Mr. SWANSON. It reserved the right——

Mr. BORAH. It was to be retained until Germany made arrangements for the settlement of these claims.

Mr. SWANSON. No; it went further than that. That is what the language said, but it reserved all the rights under the Versailles treaty, naming them section by section; and then when we entered into the treaty of Berlin, 18 months after the armistice, we reserved for the United States exactly the same rights that Great Britain had, that France had, that Italy had, that Belgium had, under the Versailles treaty, by sections; and if the Senator from Idaho will read the proclamation of President Harding showing what was contained in the Versailles treaty that was reiterated and included in the Berlin treaty, he will find two sections. One section provided that we had a right to use this property, such as England has exercised, France has exercised, Italy has exercised, and Belgium has exercised, to pay the claims due American citizens and the American Government by Germany.

Mr. BORAH. No, Mr. President; there is no such language in any of the treaties. It was to be retained.

Mr. SWANSON. I will read that to the Senator in just a minute if he will wait.

Mr. BORAH. The effect of the Versailles treaty and the effect of the treaty of the United States with Germany was to indorse whatever these Governments did in the way of disposing of this property.

Mr. SWANSON. The Senator is mistaken. The treaty went further, and Germany agreed that if we did use it for that purpose Germany herself would pay her nationals.

Mr. BORAH. Let me read it to the Senator:

As between the allied and associated powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the annex hereto, shall be considered as final and binding upon all persons except as regards the reservations laid down in the present treaty.

And paragraphs 1 and 3 of the annex, referred to in the foregoing article, read as follows. They are pretty long. I do not care to read them, but I will ask to have them inserted in the RECORD.

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

ANNEX

1

In accordance with the provisions of article 297, paragraph (*d*), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions, or instructions of any court or any department of the Government of any of the high contracting parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision, or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights, or interests dealt with in pursuance of any such order, direction, decision, or instruction. Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights, or interests, the collection or discharge of debts, the payment of costs, charges, or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the high contracting parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the allied and associated powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above-mentioned measures as have been taken by Germany or the German authorities since November 11, 1918, all of which shall be void.

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In article 297 and this annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial, or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with, enemy assets, for whatsoever motive, under whatsoever form, or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders, or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges, or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the canceling of titles or securities.

Mr. SWANSON. I ask to have inserted in my remarks the parts of the treaty to which I refer, one saying, substantially, that this property can be used for this purpose and the other saying that if it is used for that purpose Germany agrees to pay her nationals.

SECTION IV.—PROPERTY, RIGHTS, AND INTERESTS

ARTICLE 297

The question of private property, rights, and interests in an enemy country shall be settled according to the principles laid down in this section and to the provisions of the annex hereto.

(a) The exceptional war measures and measures of transfer (defined in paragraph 3 of the annex hereto) taken by Germany with respect to the property, rights, and interests of nationals of allied or associated powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights, and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of article 298.

(b) Subject to any contrary stipulations which may be provided for in the present treaty, the allied and associated powers reserve the right to retain and liquidate all property, rights, and interests belonging at the date of the coming into force of the present treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions, and protectorates, including territories ceded to them by the present treaty.

The liquidation shall be carried out in accordance with the laws of the allied or associated state concerned, and the German owner shall not be able to dispose of such property, rights, or interests nor to subject them to any charge without the consent of that state.

German nationals who acquire ipso facto the nationality of an allied or associated power in accordance with the provisions of the present treaty will not be considered as German nationals within the meaning of this paragraph.

(c) The price or the amount of compensation in respect of the exercise of the right referred to in the preceding paragraph (b) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(d) As between the allied and associated powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the annex hereto shall be considered as final and binding upon all persons, except as regards the reservations laid down in the present treaty.

(e) The nationals of allied and associated powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights, or interests, including any company or association in which they are interested, in German territory as it existed on August 1, 1914, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the mixed arbitral tribunal provided for in section 6 or by an arbitrator appointed by that tribunal. This compensation shall be borne by Germany, and may be charged upon the property of German nationals within the territory or under the control of the claimant's state. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the annex hereto. The payment of this compensation may be made by the allied or associated state, and the amount will be debited to Germany.

(f) Whenever a national of an allied or associated power is entitled to property which has been subjected to a measure of transfer in German territory and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (e) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Germany shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph can not be effected, private agreements arranged by the intermediation of the powers concerned or the clearing offices provided for in the annex to section 3 may be made, in order to secure that the national of the allied or associated power may secure compensation for the injury referred to in paragraph (e) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights, or interests of which he was deprived.

Through restitution in accordance with this article, the price or the amount of compensation fixed by the application of paragraph (e) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(g) The rights conferred by paragraph (f) are reserved to owners who are nationals of allied or associated powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights, or interests were not applied before the signature of the armistice.

(h) Except in cases where, by application of paragraph (f), restitutions in specie have been made, the net proceeds of sales of enemy property, rights, or interests wherever situated carried out either by virtue of war legislation, or by application of this article, and in general all cash assets of enemies, shall be dealt with as follows:

(1) As regards powers adopting section 3 and the annex thereto, the said proceeds and cash assets shall be credited to the power of which the owner is a national, through the clearing office established thereunder; any credit balance in favor of Germany resulting therefrom shall be dealt with as provided in article 243.

(2) As regards powers not adopting section 3 and the annex thereto, the proceeds of the property, rights, and interests, and the cash assets, of the nationals of allied or associated powers held by Germany shall be paid immediately to the person entitled thereto or to his government; the proceeds of the property, rights, and interests, and the cash assets, of German nationals received by an allied or associated power shall be subject to disposal by such power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this article or paragraph 4 of the annex hereto. Any property, rights, and interests, or proceeds thereof or cash assets not used as above provided may be retained by the said allied or associated power and if retained the cash value thereof shall be dealt with as provided in article 243.

In the case of liquidations effected in new states, which are signatories of the present treaty as allied and associated powers, or in states which are not entitled to share in the reparation payments to be made by Germany, the proceeds of liquidations effected by such states shall, subject to the rights of the reparation commission under the present treaty, particularly under articles 235 and 260, be paid direct to the owner. If on the application of that owner, the mixed arbitral tribunal, provided for by section 6 of this part, or an arbitrator appointed by that tribunal, is satisfied that the conditions of the sale or measures taken by the government of the state in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that state.

(i) Germany undertakes to compensate her nationals in respect of the sale or retention of their property, rights, or interests in allied or associated states.

(j) The amount of all taxes and imposts upon capital levied or to be levied by Germany on the property, rights, and interests of the nationals of the allied or associated powers from November 11, 1918, until three months from the coming into force of the present treaty, or, in the case of property, rights, or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present treaty, shall be restored to the owners.

ARTICLE 298

Germany undertakes, with regard to the property, rights, and interests, including companies and associations in which they were interested, restored to nationals of allied and associated powers in accordance with the provisions of article 297, paragraph (a) or (f):

(a) To restore and maintain, except as expressly provided in the present treaty, the property, rights, and interests of the nationals of allied or associated powers in the legal position obtaining in respect of the property, rights, and interests of German nationals under the laws in force before the war;

(b) Not to subject the property, rights, or interests of the nationals of the allied or associated powers to any measures in derogation of property rights which are not applied equally to the property, rights, and interests of German nationals, and to pay adequate compensation in the event of the application of these measures.

1

In accordance with the provisions of article 297, paragraph (d), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions, or instructions of any court or any department of the Government of any of the high contracting parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision, or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights, or interests dealt with in pursuance of any such order, direction, decision, or instruction. Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights, or interests, the collection or discharge of debts, the payment of costs, charges, or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the high contracting

parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights, or interests, is confirmed: *Provided*, That the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the allied and associated powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above-mentioned measures as have been taken by Germany or the German authorities since November 11, 1918, all of which shall be void.

2

No claim or action shall be made or brought against any allied or associated power or against any person acting on behalf of or under the direction of any legal authority or department of the Government of such a power by Germany or by any German national wherever resident in respect of any act or omission with regard to his property, rights, or interests during the war or in preparation for the war. Similarly, no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws, or regulations of any allied or associated power.

3

In article 297 and this annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial, or others that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form, or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders, or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges, or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the canceling of titles or securities.

4

All property, rights, and interests of German nationals within the territory of any allied or associated power and the net proceeds of their sale, liquidation, or other dealing therewith may be charged by that allied or associated power in the first place with payment of amounts due in respect of claims by the nationals of that allied or associated power with regard to their property, rights, and interests, including companies and associations in which they are interested in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31, 1914, and before that allied or associated power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the mixed arbitral tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such allied or associated power with regard to their property, rights, and interests in the territory of other enemy powers, in so far as those claims are otherwise unsatisfied.

Mr. SWANSON. The position I take is that Germany agreed that this property could be used for this purpose; that Germany then agreed in the Versailles treaty that she would pay her nationals if it was so used; and if the Senator will read it he will find it clear and explicit and without question. I take the ground that in making treaties of peace it is always within the power and authority of a government to speak for its nationals. If that were not so, peace never could be made. It has always been considered the right of sovereignty of a state, in settling a war and making peace, to speak for its nationals as to the debts and differences between the States which are parties to the treaty, and that when it speaks for them and agrees for them it is not confiscation.

Mr. WILLIAMS. Mr. President——

Mr. SWANSON. It never has been held to be confiscation; and Germany further agreed, if this were done, that she would pay her nationals.

Mr. BORAH. Very well, Mr. President. I am not to-day desirous of discussing with the Senator those details; but will not he agree with me that whether we confiscate this property or use it in the manner he speaks of——

Mr. SWANSON. It is not confiscated. Put it in apt language—whether we carry out the treaty of Berlin or not.

Mr. BORAH. Will not the Senator agree with me that whether we use this property under the treaty of Berlin to pay the American claimants or not, we ought to dispose of it at this session?

Mr. SWANSON. I have no objection to its being disposed of at this session, except this: There might be some of these American claimants that we do not wish to settle with at this time, as these claims are found against Germany and not the United States; and if the United States should take this property that Germany has agreed should be used to pay these debts and use it for other purposes, then there would be an obligation on this Government to pay all the claims found by the Mixed Claims Commission.

Mr. BORAH. Exactly; but the Senator would be in favor, would he not, of using whatever German property is in the hands of the Alien Property Custodian to pay whatever claims are at this time adjudicated?

Mr. SWANSON. No; I would not say whatever claims are at this time adjudicated. I do not know whether I would consent that some of these claims that the Mixed Claims Commission has found against Germany should be preferred to the claims of other claimants that have higher merit so far as the United States Government is concerned.

Mr. BORAH. We could control that in the payment.

Mr. SWANSON. Take the claim that the Senator has alluded to about the German marks. Germany seized all the German marks due American banks in Germany at that time, held them during the war, and did not surrender them until the marks were worth nothing. This commission has found against Germany at 17½ cents a mark. Germany ought to be made to pay that. Anything less than that is not a return of property as she ought to have returned it under the agreement.

Mr. BORAH. Does not the Senator think that this alien property administration ought to be closed up and put out of business?

Mr. SWANSON. I am perfectly willing for it to be closed up and put out of business. Such money as it has ought to be deposited in the Treasury or some other place of deposit subject to the future disposition of Congress. Before I vote to dispose of this money I should like to know better what we will get under the 2¼ per cent provision of the Dawes plan. If the United States Government is made absolutely safe, and the taxpayers of America are not compelled to pay for these outrages, I am perfectly willing for the United States Government to be delayed a reasonable time to settle its claims; but I have seen no scheme that has been presented to Congress, the ultimate effect of which was not to make the American taxpayer pay for the outrages that were the occasion for our entering the war.

Mr. BORAH. The scheme which I have been suggesting does not ultimately impose one dollar of burden upon the American taxpayer.

Mr. SWANSON. If the Senator will permit me, we are asked to pay certain claims and then release this property to the German claimants. If we release to the German claimants the property which under the Berlin treaty Germany has agreed could be dedicated to pay American claimants, we would be derelict if we permitted this; we would at once establish an obligation on the part of the Government of the United States to pay these claims.

Mr. BORAH. Mr. President, the American claimants, as I am informed, are willing to take the participating certificates, and there has been provided in the bill itself an absolute release of the United States from any obligation whatever to them.

Mr. SWANSON. If the Senator will permit me, let him get the claimants to consent to this, and I will consent to it so far as I am concerned. Let the $250,000,000 due for the army of occupation be paid into the Treasury; then let these claimants and the German claimants arrange to pay the United States the $70,000,000 due and found, and these parties can take all the residue under the Dawes reparations plan and have all the certificates based on this. All I ask is that we shall get the cost of our army of occupation, the $70,000,000 due to the Treasury as found by the Mixed Claims Commission, and the German claimants and American claimants can dispose of the rest of it as they see proper, which they ought to do under the treaty.

Mr. BORAH. In order that I may get the Senator's position, because I am going to propose a measure here, do I understand that the Senator is advocating the proposition of using

the property of which the Alien Property Custodian now has possession in the settlement of the claims of the American claimants and the claim of the American Government itself?

Mr. SWANSON. I will tell the Senator what I am in favor of.

Mr. BORAH. Is the Senator in favor of using this property to settle any of these claims?

Mr. SWANSON. I am in favor of using it unless the German reparations will be sufficient to pay the claims, because the treaty of Versailles itself, in the very article the Senator read, provided that unless Germany made ample provision to pay them, it could be used. I am willing to take our chances under the Dawes plan, to which we agreed, to recover the cost of our army of occupation. I am willing then to agree to the distribution of the 2¼ per cent of the reparations, to be applied to the American claims against Germany. If the American claimants and the German claimants will reach an agreement in regard to that 2¼ per cent, I shall have no objection. What I protest against is the attempt to take the $250,000,000 due for the army of occupation and use it to pay the claims against Germany.

Mr. BORAH. I am eliminating that from my consideration. The main question is, What are we going to do with this property which we have? The Senator does not want it confiscated, but he says we have a right to take it under the Berlin treaty and use it for the purpose of paying. Is that his position?

Mr. SWANSON. My position is that in the Berlin treaty we agreed that this money should be used for this purpose; and we went further, we made Germany agree that if we did use it for this purpose, she herself would pay her nationals. Great Britain used similar means for a similar purpose, and France did the same, and they have paid their nationals.

Mr. HARRELD. Mr. President, I would like to ask the Senator from Idaho a question.

Mr. SWANSON. I yield.

Mr. HARRELD. The German Mixed Claims Commission has allowed a claim of the Texas Oil Co. for oil and material confiscated during the war, amounting to $750,000. They claim that under the Dawes plan the payments they would get over a period of 25 years would amount to just a little more than the interest on their claim. I would like to ask how the Senator's plan would affect a claim of that sort.

Mr. BORAH. I do not know anything about the particular claim to which the Senator has reference. Of course, if my figures are correct the parties are very much in error as to when they would be paid and the amount they would be paid. I can not take up each claim and in detail discuss it, because I am not familiar with the claims, and I do not desire to become familiar with them. What I am saying is that if we are going to use this property for the purpose of paying these debts, whether to pay them only in part, or wholly, whatever we do, we ought to do it this session. Millions and millions of dollars of this property have been wasted which might have been here if it had been properly administered, to pay these claims, if we are going to use it for that purpose. When we get to a consideration of the details of these matters we will have to work them out, of course, in the measure before us, but we certainly should not longer delay using this property, if we are going finally to use it.

Mr. HARRELD. I understood the Senator had a definite plan.

Mr. SWANSON. Mr. President, I will say, in answer to the Senator from Oklahoma, as I understand, in round numbers, the claims against Germany will amount to $250,000,000, including what is due the United States Government. At 5 per cent, the interest will be $12,500,000 annually. The full amount we can receive under the Dawes plan—2¼ per cent of the reparations—can not, under its terms, exceed $11,000,000. Thus what can be dedicated to pay the claims found due by the Mixed Claims Commission can not pay the interest allowed.

Mr. BORAH. Outside of the Government's claim, which I do not discuss this afternoon because I may be in error as to that, the commission reports that the claims will not exceed $190,000,000.

Mr. SWANSON. I saw people connected with the commission about four or five months ago, and they told me that, including the Government's claim and others, they thought it would amount to about $250,000,000. They might have examined other claims, and that figure might not be accurate. But about $70,000,000 is due the Government.

Mr. BORAH. The last report I had was received the latter part of last week, and they estimated the claim would amount to about $190,000,000. I do not know that they included anything in that except the individual claims. Perhaps they did not include the Government's claim.

Mr. SWANSON. It might include it.

Mr. BORAH. As I said a while ago, we have $34,000,000, which takes care of all claims except those claims about which there has been a good deal of discussion, and if the commission had not passed upon them I would not be much in favor of some of them. But it takes care of death and individual injury claims. It takes care of claims under $25,000, it pays $25,000 upon all other claims, and there are $8,000,000 left. That leaves nothing unsettled except these insurance claims, and such claims as that, of people who are willing, I am informed, to accept participating certificates and take their chances. If that is true, why should not these American claimants have their money now?

Mr. SWANSON. Mr. President, if the Senator will permit me, they are willing to accept participating certificates provided we include the $250,000,000 for the cost of the army of occupation. If they are willing to take participating certificates in the 2¼ per cent of the reparations dedicated to pay these claims, I would cheerfully give them to these claimants. I am not willing to give participating certificates on the $250,000,000 which is to be paid us for the army of occupation, about one-half what was due, which would really mean that we would never get anything for it. If these claimants against Germany will agree to take the 2¼ per cent of the reparations and settle all their claims and reach an agreement to take certificates of participation, I will be very glad to settle it that way.

Mr. BORAH. I do not believe that this Congress or any other Congress will ever confiscate this property, and I am perfectly sure that the Berlin treaty does not authorize us to take the property.

At some time we will return this property. I do not believe that Congress would confiscate it, and, secondly, I do not believe Congress has any power to confiscate it. I am perfectly satisfied that, having failed to confiscate it during the war, while we might possibly have justified such action under the war power, now, in time of peace, we can not confiscate it. So, at some time we will in all probability return it. What I am urging is that we do at this session of Congress what we are going to do, not only in justice to the alien property claimants, but in justice to the claims of American claimants also.

Mr. SWANSON. Mr. President, confiscation by a government is the taking by the government for its own use of the property of the private citizen, without compensation. The Government of the United States contemplates no confiscation. It has arranged with Germany to pay $250,000,000 for the cost of the army of occupation. All that is proposed in this case is to carry out an agreement made by Germany as one of the terms of peace. Germany, in order to make peace, in order to benefit her citizens by not longer delaying peace, which might be delayed six months or a year, agreed with her nationals in Germany that this money, if desired by the United States, could be used to pay the claims of American nationals for outrages perpetrated by the German Government, and it further agreed that if that were done, Germany herself would pay her own nationals. If that is confiscation of private property, it is due to the failure of Germany to carry out her promise.

Mr. BORAH. But the property is in this country.

Mr. SWANSON. I will tell the Senator further that that has long been a method by which peace has been made. When we made peace with Spain it was mutually agreed that we would settle the claims of our nationals against Spain, and Spain would settle the claims of her nationals against us, and it has always been considered an exercise of sovereign power, not confiscation, for a government to agree for its nationals, as this agreement has been made by Germany for its nationals in this case. In the Boxer trouble we did the same thing. It would be nearly impossible to make terms of peace, or peace would be long delayed, if a government could not speak for its own nationals in respect of claims against the respective governments.

Mr. KING. Mr. President, let me suggest to the Senator, and to Senators generally, that under the constitution of Germany before the war there was a provision by which the German Government had the right to take the property of its nationals for public purposes. When the new Republic was formed, the Ebert republican government, a very strong provision was inserted in their new constitution under which the new German Republic had the right to take property of its own nationals for public purposes.

Germany, asserting her sovereign power under the new constitution, took the corpus and the use of the property of her nationals which was located in the United States and said:

We will exercise the right of eminent domain and take the property of our nationals situated in the United States, and will transfer the rights which we have to the United States, and the United States can hold that property until we make satisfactory arrangements for the indemnification of American nationals.

So there is no confiscation at all. If there is any confiscation, Germany herself has confiscated the property of her own nationals.

Mr. SWANSON. Mr. President, the time to have fought this matter, the time to have stood up and protested against it, was when the Berlin treaty was before us, and when the Berlin treaty made provision for settling the claims of this Government and our nationals against Germany. That was the time, because if that treaty had not been ratified, other provisions might have been made.

Mr. BORAH. Mr. President, if the Senator had joined me, it would not have been ratified.

Mr. SWANSON. I was against it, and voted against it, but it was ratified. I voted against it, and the Senator from Idaho voted against it. That was the time to have objected, however. What right have we to come now and challenge an agreement made 18 months after the armistice, making certain provisions for the payment of American claims for outrages to Americans and the American Government. What right have we to change it now and unload the burden on the American taxpayers?

Mr. BORAH. I want to read from this treaty between Germany and the United States:

SEC. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments, respectively, of all persons wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government.

Mr. President, there is no grant here; there is no disposition of property; there is no ceding of property. Indeed, the language is the very reverse of that. What they say is that it shall be retained until the German Government shall have made suitable arrangements for the settlement of these claims. The German Government has made only the arrangement which we have asked her to make.

Mr. SWANSON. That is in addition to the special provisions in the Berlin treaty saying that we should have the same rights that were given the Allies in the Versailles treaty. I will show the Senator the exact sections. One section says it shall be used for the payment of this debt, and the second section following the first one says that if we do use it Germany will settle with her nationals.

Mr. BORAH. Will the Senator read it?

Mr. SWANSON. I will read it to the Senator if he will give me time.

Mr. LENROOT. I have it here. It is not mandatory. It reads:

Subject to any contrary stipulations which may be provided for in the present treaty——

Mr. SWANSON. From what is the Senator reading?

Mr. LENROOT. Article 297, section 4, part 9, of the treaty of peace with Germany.

Mr. McKELLAR. Mr. President, does the Senator from Idaho consider that Germany has lived up to her obligations under the treaty when the amount of the claims shall be ascertained? Does that constitute the "suitable provisions" that the Senator thinks the Government of Germany agreed to make?

Mr. BORAH. Germany agreed to pay the army occupation expenses, which she paid. When we came to the Dawes plan she agreed to pay 2¼ per cent in the way of reparations to settle those claims. That she has arranged for.

Mr. McKELLAR. Does the Senator think that is suitable provision for those claims, or is it entirely inadequate to pay them?

Mr. BORAH. If it is inadequate, it is inadequate for the reason that the American representatives did not claim more.

Mr. SMOOT. Or could not get more.

Mr. BORAH. I understand they did not claim any more. Germany has made the arrangements which we submitted to her.

But we come back to the proposition. Understand me, I am perfectly willing to debate the question of whether we should confiscate or not; but I say that to delay it beyond this session is a dereliction of duty upon the part of the Congress, of not only what we owe to the alien property holders but what we also owe to the American claimants. Here is $34,000,000 in cash lying in the Treasury of the United States which may be utilized to pay American claimants, and it will pay every death claim and every personal injury claim and every claim under $25,000, and $25,000 on all other claims. Why should we delay it?

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. BORAH. I yield.

Mr. KING. If it would be confiscation to take any part of the principal of the fund in the hands of the Alien Property Custodian, it would seem to me by any process of reasoning that the accumulated interest would be subject to the same rule.

Mr. BORAH. I have said that so far as I am individually concerned, if the interest can be allocated or assigned to the particular property which earned it, undoubtedly we should not confiscate it. What I am saying is that I am informed that this $30,000,000 of interest has been accumulated under such condition that it is impossible to assign it to the particular owner. If that is true, one of two things will happen; either we may use it to pay American claimants, or it will go into the American Treasury. I do not want to be misunderstood. I am opposed to confiscation in whole or in part. I have spoken as I have about this interest fund because I have understood there is no way to find out to whom it belongs.

Mr. KING. I would like to suggest to the Senator from Idaho that a bill was recently before a subcommittee composed of the Senator from Illinois [Mr. DEENEN], the Senator from Massachusetts [Mr. GILLETT], and myself, which contemplated the return to a number of American women, who had married Germans, of their property which had been sequestrated. When we passed the Cable bill they were restored to citizenship, and they applied to get the interest which was in this thirty-odd millions dollars. They had received the property and the testimony before our subcommittee revealed that we could segregate and determine the amount of interest to be allocated to the property, and so we have reported or will report the bill giving to those women the interest upon the principal.

Mr. BORAH. My understanding is, however, that the interest of which I am speaking does not cover the interest on this particular property. Undoubtedly there is some of the interest which they have allocated to the proper holders, but my understanding is, and I am only stating it is my understanding, that this amount of $30,000,000 is an amount accumulated as interest, and they do not know to whom it belongs or to whom they should give it.

Mr. KING. I think the Senator is in error, if I may be pardoned the suggestion.

Mr. BORAH. I know I am not in error in making the statement; that is, the party who stated it to me may be in error, but I am not in error in repeating the statement.

I have only advocated the use of the $30,000,000 upon the theory and upon the facts that have been given to me. I do not want to be understood as advocating confiscation of any part of the fund. I think for us to start in upon a program of confiscation at a time when we have $9,000,000,000 invested in foreign countries and at a time when we are proposing to invest millions and millions and billions in the future would be a suicidal policy. It would be perfectly foolish upon our part, to say nothing of its breach with all the past policies and traditions of our Government. I think it unwise from the standpoint of material interest and unmoral from the standpoint of national honor.

Mr. SWANSON. Now, if the Senator will permit me to revert to the question as to whether it is confiscation, I will say that a government in the exercise of its sovereign power has the right to make an agreement in a treaty of peace by which property possessed by its nationals can be used to liquidate claims of a government against that government and the nationals of a government against that government.

Mr. BORAH. Of course it does go back to that.

Mr. SWANSON. It goes back to that question. That is not confiscation. The United States Government has its claims settled under the Dawes plan. The only question is whether Germany, in settling her claims against our citizens, can con-

sent that property belonging to her citizens can be so applied under the treaty of peace. If the Senator will look at page 134 of the treaty, he will find the exact language there. He will find there that Germany undertakes to compensate the nationals of the United States for the sale or the retention of their property, rights, and interests. What goes before is clear.

Mr. BORAH. Will the Senator read what goes before?

Mr. SWANSON. I will ask the clerk to read the whole of section 4.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

SECTION IV.—PROPERTY RIGHTS AND INTERESTS

ARTICLE 297

The question of private property, rights, and interests in an enemy country shall be settled according to the principles laid down in this section and to the provisions of the annex hereto.

(a) The exceptional war measures and measures of transfer (defined in paragraph 3 of the annex hereto) taken by Germany with respect to the property, rights, and interests of nationals of allied or associated powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights, and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of article 298.

(b) Subject to any contrary stipulations which may be provided for in the present treaty, the allied and associated powers reserve the right to retain and liquidate all property, rights, and interests belonging at the date of the coming into force of the present treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions, and protectorates, including territories ceded to them by the present treaty.

The liquidation shall be carried out in accordance with the laws of the allied or associated state concerned, and the German owner shall not be able to dispose of such property, rights, or interests, nor to subject them to any charge without the consent of that state.

Mr. BORAH. Just a moment! Will the Senator observe there that the liquidation shall be carried out in accordance with the laws of the allied or associated powers or states concerned? In other words, we have to come back here to the United States and find the legal authority, the constitutional authority, to confiscate this property.

Mr. SWANSON. It is not confiscation. The Government gets nothing out of it. It is not taking private property for public use.

Mr. BORAH. It is confiscation if the Government takes the property of A and turns it over to B.

Mr. SWANSON. When nations are engaged in a settlement of the terms of peace, they simply agree among themselves that the property can be used for this purpose. They reserve the right to use it for that purpose under the terms of the treaty of peace. If we can do it, it is a question for the courts to determine. The matter will be delayed until the courts can decide it, until the legal contention is determined.

Mr. BORAH. The liquidation shall be carried out in accordance with the terms of the allied or associated state concerned—in accordance with the Constitution of the United States.

Mr. SWANSON. If it is contrary to the Constitution, all we have to do is to go into court and let the court decide that Germany can not agree that we shall have the right to apply this property in the way she agreed it should be applied.

Mr. LENROOT. Is not the effect of this provision that if the laws of the government concerned permit the taking of private property in this way, then under the treaty it would be no violation of the treaty between ourselves and Germany if we did it?

Mr. BORAH. That is the effect.

Mr. SWANSON. If that is wise, why not wait until the constitutional question is settled?

Mr. BORAH. How can we settle it?

Mr. SWANSON. German claimants can come here and bring a suit to recover the property.

Mr. President, I feel this way about it. I have no unkindly feeling toward Germany. I have no unkindly feeling toward any nation that was embroiled in this war. But I feel that that was a condition put in when the treaty of peace was made. Under that condition, if Germany did not make ample provisions to settle our claims, we reserved the right to use this property and to settle their claims and not to put the burden on our taxpayers. The only question is whether that is right. The 2¼ per cent provision in the Dawes plan will not pay the interest on the claims. The question is simply whether the American taxpayer shall pay it or whether the German nationals shall pay it and Germany carry out her agreement to settle with her own nationals for the property used. That is the issue.

The Senator said when we do that we really take private property for public use, which is confiscation. We are not taking it for public use. We get our $250,000,000 for army of occupation under the Dawes plan. All we do is to enforce a right that Germany conceded to us, a right that we reserved in the treaty of peace, that Germany would consent that this property of her nationals should be used to pay debts to our citizens, and if she did do it, she herself would settle with her own nationals.

Mr. LENROOT. That is not the part. The treaty provides that if we do that they shall have credit upon the amount of reparations owing to us.

Mr. SWANSON. That is true. If this fund is used for that purpose, she gets credit. She pays no more of the 2¼ per cent. If this is dedicated for that purpose, the credit goes on the 2¼ per cent, and the correspondence at the time of the agreement upon the Dawes plan shows it.

Mr. LENROOT. In that case it would be taken for a public purpose.

Mr. SWANSON. No; because that is due a private citizen.

Mr. LENROOT. Suppose there were no private claims at all under the treaty, we would have the right, according to the Senator's contention, to take the private property for the purpose of paying what the Government of Germany owed the Government of the United States.

Mr. SWANSON. We would. We have never provided in the Dawes reparation plan to pay what is due us in this way. It is simply using property of German nationals to pay American nationals, which Germany said should be done, and the question is whether we shall tax our own people to pay it now. That is the issue.

Mr. BORAH. The issue with me, Mr. President, is whether we shall take this property either by confiscation or under the Berlin treaty or the Versailles treaty. It is all in violation of the policy of this Government from its beginning.

Mr. SWANSON. I object to the Senator using the word "confiscation." The question is whether we shall exercise our right under the Berlin treaty.

Mr. BORAH. I say it is confiscation; but whether it be confiscation or simply taking the property under the terms of the treaty, which the Senator from Virginia says is not confiscation, ultimately the Senator will agree with me that now is "the accepted time" to take it before somebody else gets it, as they have already got millions of it illegally and unjustly. If we want to protect the American taxpayer, we can not protect him by utilizing this money by millions and millions to pay attorneys' fees, to say nothing of the millions which, it seems, have been embezzled and stolen.

Mr. McKELLAR. Does the Senator believe that if the money be retained here it is going to be dissipated?

Mr. BORAH. Judging the future by the past, I would say yes.

Mr. SWANSON. Most of the attorneys' fees to which the Senator refers were paid when the property was being liquidated and sold. I do not know whether there are any attorneys' fees in connection with it now. The Senator from Idaho can probably speak with more authority on that question than I can, because the property is in control of the present administration.

Mr. BORAH. I can say this much, that I do not think there is anything in the history of the United States that is so utterly shameless, so utterly unconscionable, as the administration of alien property in the United States. It has been a prolonged exploitation.

Mr. SWANSON. I do not know to what extent it has been misappropriated; I have never investigated that question. All I know is that we seized about $565,000,000 worth of property; we have returned or will return under statutes recently passed all of it except $250,000,000, which was reserved to carry out the agreement which Germany made, under which we could exercise our right to employ that amount to pay our nationals for damages due by the German Government on account of outrages perpetrated during the war.

There is no obligation on our Government to pay these German claims unless the Government has been derelict. The only obligation of a government to pay its own citizens for international debts, debts against other governments, is where it is derelict or when the government itself derives a benefit.

It is doubtful whether the Government can be held responsible for dereliction, but when the Government derives a benefit then it is under obligation to pay, as in the case of the French spoilation claims. In that case each Government agreed to settle the claims of its respective nationals. So, also,

in the case of claims growing out of the Spanish-American War and out of the Boxer troubles. Every other nation has exercised this right under the treaty of Versailles, and the United States can so apply this property; and it has never been held confiscation where the other government itself agreed that that might be done. If we have no authority to do it under our Constitution, then it is a constitutional and legal question to be settled; but we certainly have the right to do it under the treaty of peace.

It seems to me should we return this property now held in the hands of the Alien Property Custodian to the German owners, when the treaty of Berlin dedicated it to the payment of American claims, an obligation would arise on the Government of the United States to settle these claims if it should allow that course to be pursued.

Mr. BORAH. I understand the Senator is opposed to taking the property now?

Mr. SWANSON. I want to wait and see what we obtain under the Dawes Commission plan, involving the payment of 2¼ per cent of reparations paid by Germany.

Mr. BORAH. That will take 42 years.

Mr. SWANSON. The Mixed Commission has not finished filing its judgments. If the Senator is speaking authoratively for the American claimants and the German claimants and they are willing to let the United States have the $250,000,000 due on account of the army of occupation, I am perfectly willing to vote for a settlement, giving certificates for that property and the 2¼ per cent to the claimants.

Mr. KING. But not for the United States to guarantee them.

Mr. SWANSON. Not for the United States to guarantee them; let them take it under proper provision made; but not that the United States shall guarantee the certificates, and not that the United States shall waive the payment of the $250,000,000 for the cost of the army of occupation. If they are willing to accept such a settlement as indicated by the Senator from Idaho, I would be glad to accept it and vote for it.

Mr. BORAH. The Senator from Idaho has made no such statement as the Senator from Virginia suggests.

Mr. SWANSON. I understood the Senator to state that they would take certificates.

Mr. BORAH. They would take certificates on the basis which I outlined, but not on the basis which the Senator has outlined.

Mr. SWANSON. The Senator would have them take certificates on the basis of allowing those certificates to be covered by the amounts to be paid on account of the army of occupation?

Mr. BORAH. Yes.

Mr. SWANSON. Then what the Senator would want would be the United States Government to surrender entirely the amounts due on account of the cost of its army of occupation and dedicate the money due on that account to this purpose?

Mr. BORAH. No; the United States Government would ultimately get it.

Mr. SWANSON. But, if the Senator will remember, the cost of the army of occupation is to be paid in 20 years; the payments of eleven and a half million dollars cease at the end of 20 years, and only the 2¼ per cent payments continue. That is the bone of contention between me and other gentlemen. I say that the cost of the army of occupation ought not to be applied to the settlement of these claims. If the German claimants and the American claimants will take the 2¼ per cent and an issue of certificates, then they can have absolute control of it, so far as I am concerned.

Mr. BORAH. The Senator must be in favor of one or two propositions: He must either be in favor of taking this property and paying the American claimants, or he must be in favor of making the American claimants wait until Germany has again paid our bill for the army of occupation.

Mr. KING. Or make Germany pay.

Mr. SWANSON. Or make Germany pay.

Mr. BORAH. How are we going to make Germany pay except under the Dawes plan? She can not pay anything outside of the Dawes plan.

Mr. SWANSON. I do not know whether she can or not.

Mr. BORAH. The Dawes plan does not permit her to do so.

Mr. SWANSON. She is simply required to pay $325,000,000 outside of what she gets from her railroads and from other sources. The burden upon Germany has been greatly exaggerated. Germany will pay $625,000,000 under the agreement which was negotiated by Vice President Dawes when the plan shall become operative, and, as I understand, about $325,000,000 is all that is not covered by her railroads, industrial bonds, and otherwise.

Mr. KING. Mr. President, I was just about to observe—and I shall not detain the Senate for more than a moment or so—that Germany, in addition to meeting her Dawes reparation payments, has levied taxes, the aggregate of which is approximately $70,000,000, which she has paid to her own nationals in part compensation for the taking over of property by France and Belgium and other countries belonging to her nationals. She agreed that the property which her nationals had in France and Germany and Italy might be held or taken over by those respective countries and applied in liquidation of the claims of their nationals against Germany. So they took the property over. Great Britain took it over, adjudicated its value, and liquidated it to her nationals who had claims against Germany. France did the same, and Germany has been taxing her own people and has paid back to her nationals substantially $70,000,000 toward the payment of the value of the property which had been taken by those other countries.

Mr. BORAH. Mr. President, just a word in conclusion. I did not intend this afternoon to discuss all the details and ramifications of this proposition. I only wanted to urge that for every reason which should appeal to our sense of duty we ought to dispose of the question at this session. That seems to me to be unanswerable. If we are going to confiscate this property or if we have the power to take it under the Berlin treaty there is no reason for delaying our action; on the other hand, if we must return it, there is no justification for delaying the return. There is no one to be benefited by a delay of this matter over another session or two sessions, and, on the other hand, the claimants will suffer great wrong and injury by reason of the delay. So in some way we should dispose of the question.

Mr. SWANSON. Mr. President, the delay has been occasioned by a bill introduced on behalf of the administration, under which the German claimants and the American claimants entered into an agreement by which they would take the $250,000,000 due on account of the army of occupation to pay for the American claims against Germany and then distribute the money. That would all come out of the taxpayer. If the Senator wants to end this matter, it seems to me he ought to introduce a bill carrying out his idea of what should be done. Of course, I know the Senator introduced a bill to return this property, but that bill simply precipitated an issue as to whether the American taxpayer should pay the American claims against Germany or whether they should be paid by Germany. It would occasion delay.

So far as I am concerned—and I can not speak for anybody else—if the claimants do not take the $250,000,000 due on account of the army of occupation, which is one-half of the full amount, I am willing for the American claimants to take the 2¼ per cent reparations payments, and to come to an agreement with the German claimants in any way that will not make the United States and its taxpayers responsible for the outrages committed by Germany. I will consent to such an arrangement as that, and I think every other Senator will. I should like to see those interested agree in that way; but, in view of the agreement with Germany and the Berlin treaty, I do not think I would be justified as an American Senator to vote that the American taxpayer should pay for all these wrongs and all these outrages and to settle these claims that the Mixed Commission shall find due against the German Government.

If the Senator can find any way that will prevent the American taxpayer from being taxed to pay for the sinking of the *Lusitania* and for the various other wrongs perpetrated on America and her nationals, I will vote for it; but I am not willing to let the American taxpayer pay for those wrongs.

Mr. BORAH. Mr. President, I have about as tender a regard, I imagine, for the American taxpayer as has the ordinary Senator; but I do not hesitate for a moment to say that the bills which I have introduced represent my views of the matter. I think we are in honor bound by tradition, by treaty, by pledge, to return this property.

Mr. SWANSON. By what treaty?

Mr. BORAH. If I had had my way about it, Mr. President, I would have returned every dollar of this property that I could account for, and if the interest could be accounted for I would return it. It would be the best investment the United States could possibly make.

Mr. SWANSON. By what treaty does the Senator say we are obligated to return it? The only treaty of which I know is the one that gives us the right to use the property. I should like to know to what treaty the Senator refers.

Mr. BORAH. Well, we began our dealings with Germany with a treaty which provided that the property of aliens in the respective countries should be protected in case of war, and

the treaty expressly provided that war should not nullify that particular provision of the treaty.

Mr. SWANSON. If the Senator will permit me, that question has been decided by the courts. They held it was limited entirely to the German nationals living in America and having property here. The issue was raised during the war. All of the property now in question in the hands of the Alien Property Custodian is the property of Germans living in Germany who were in the war against us, using all their resources and efforts to defeat us. If there is a cent of this property that comes under the treaty of 1789 and the treaty of 1828, I think it ought to be returned; although Germany violated a similar treaty with us at that time which stipulated that she would not engage in submarine warfare against us and she did so.

Mr. BORAH. I do not care anything about what treaties Germany has violated; I am anxious that we shall not violate any treaty on our part.

Mr. SWANSON. Germany violated her treaty, but if the Senator can find any property of any individuals covered by the treaty to which he alludes, I am willing to vote to return it.

Mr. BORAH. I think every particle of this property comes under that treaty or the principle which we announced under that treaty, and we are just as much bound by the policy which we announced as we are by the treaty itself.

Mr. SWANSON. No; at that time international law permitted the seizure of property; but the treaty provided an exception. It was specific as to the property. The courts have held under that treaty that we could not seize the property of German nationals residing in the United States. If, however, there is $1 of this property that comes under that treaty, I think it ought to be returned, and I will vote for its return. All of the other property, however, in the hands of the Alien Property Custodian is the property of Germans living in Germany, Germans who fought in the German Army, and used all their resources and money to wage warfare against us.

RETIREMENT OF CLASSIFIED CIVIL-SERVICE EMPLOYEES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 786) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have inserted in the RECORD a letter from the Civil Service Commission of this date in reference to an amendment that is intended to be proposed to the pending bill by the senior Senator from Utah [Mr. SMOOT].

The VICE PRESIDENT. Without objection, it will be so ordered.

The letter is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., May 17, 1926.

Hon. KENNETH McKELLAR,
United States Senate.

MY DEAR SENATOR McKELLAR: It has been proposed to amend the retirement act to eliminate the Civil Service Commission from participating in the administration of that act. In the interest of economy and good administration it is so evident that the commission should not be eliminated that we submit the following for your consideration:

1. Report for the records of the Civil Service Commission is essential for the verification of the statements of each applicant and of his department regarding length of service, salary, and status as subject or not subject to the provisions of the retirement act.

2. These records extend from the passage of the civil service act of January 16, 1883, to the present time. They were built up in connection with the administration of the civil service act and must be continued as long as it devolves upon the Civil Service Commission to administer the civil service act, whether the commission is to continue its present duties under the retirement act or not. These records are built up item by item in the case of each employee, each change having been reported by the department at the time it was made, as required. These records have not and can not be duplicated, from the very nature of their origin and growth. They serve as a check on the statements of the department and of the applicant at the time he applies for annuity and are a means of verification which seems indispensable to the administration of the retirement act. The numerous changes in salary, designation, and status, as reported to the Commissioner of Pensions in the employee's application for annuity, are checked and compared item by item in the Pension Office with the commission's service record.

3. Either the commission must continue to furnish a detailed service record of each employee to the Commissioner of Pensions, or the case must be adjudicated without the correction of these numerous errors. There can be no substitute built up in place of the commission's records for comparative purposes, because a record newly established at the present time would contain all the errors now found in the departments' reports to the Commissioner of Pensions in individual cases.

4. The retirement act is limited, with certain comparatively unimportant exceptions, to employees in the classified civil service of the United States, and the Civil Service Commission is the only competent authority to decide who is subject properly to the retirement act because of his being in the classified civil service of the United States. The act of March 27, 1922, provides that in the administration of the civil service retirement act the expression "all employees in the classified civil service of the United States" shall be construed to include all persons who have been heretofore or who may hereafter be given a competitive status in the classified civil service with or without competitive examination, by legislative enactment, or under the civil-service rules promulgated by the President or by Executive orders covering groups of employees with their positions into the competitive classified service or authorizing the appointments of individuals to positions within such service. No establishment other than the commission is in possession of the facts and the records to determine who is and who is not an employee in the classified civil service of the United States as above defined.

5. The President, by Executive order of June 7, 1922, extended the provisions of the retirement act to unclassified laborers in cities and in establishments or offices in which appointments are made under labor regulations approved by the President and administered by the commission. No establishment other than the commission is in a position to report which laborers are subject to the retirement act because subject to the labor regulations and which are not.

6. The Attorney General, in opinions of June 3 and December 22, 1924, decided that classified employees in positions subject to the retirement act who entered nonclassified positions without break in the continuity of their service remain subject to the provisions of the retirement act notwithstanding the fact that persons entering such nonclassified positions by original appointment without previous service as classified employees are not subject to the retirement act. No Government establishment other than the Civil Service Commission is in position to determine which of the occupants of such nonclassified positions are subject to the retirement act and which are not.

7. In view of the ages of retirement fixed by law, the date of birth of each applicant for annuity is a matter of importance. The date of birth has been stated exactly, under oath, by each classified employee in his application for examination taken from 15 to 30 or more years ago. This is the basic data of each employee as to age, and any discrepant statements subsequently made by him to his department must be reconciled with his original statement in the records of the commission by documentary or other evidence furnished by him. No other establishment has this original statement or is prepared to make this comparison.

8. The personnel records maintained by the commission must be continued to administer the civil service act. They can continue to be utilized in the correct administration of the retirement act.

9. The continuation of the present system will be in the interest of economy by avoiding the duplication and additional cost incident to setting up and maintaining new records in some other office, which records could not possibly take the place of the original records of the commission for the reasons stated. The service records of the commission have been maintained from the passage of the civil service act in 1883 and must continue to be maintained by the commission for the performance of its duties regardless of the retirement act.

By direction of the commission:

Very respectfully,

JOHN T. DOYLE, *Secretary.*

Mr. CURTIS. Mr. President, the Senator from Utah [Mr. SMOOT] is not ready to go on with his amendment, and I ask that the bill be temporarily laid aside with a view of having the Senator from Iowa [Mr. CUMMINS] present a conference report. Then I shall ask for an executive session.

Mr. CUMMINS. The matter I have to present, I think, will take but a moment.

Mr. CURTIS. I ask, then, with the consent of the Senator from Oregon [Mr. STANFIELD], that the unfinished business be temporarily laid aside.

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

MIDDLE DISTRICT IN THE STATE OF GEORGIA

Mr. CUMMINS. Mr. President, I submit a conference report. It is a unanimous report of the conferees, and in it the House recedes from the amendment which it attached to the action of the Senate. I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the report was read and agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10055) to amend section 77 of the Judicial Code to create a middle district in the State of Georgia, 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 concur therein.

ALBERT B. CUMMINS,
WM. E. BORAH,
LEE S. OVERMAN,
Managers on the part of the Senate.
GEORGE S. GRAHAM,
L. C. DYER,
HATTON W. SUMNERS,
Managers on the part of the House.

EXECUTIVE SESSION

Mr. CURTIS. 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 10 minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, May 18, 1926, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 17, 1926

UNITED STATES MARSHAL

Asa W. Butler, of Missouri, to be United States marshal, western district of Missouri, vice I. K. Parshall, whose term has expired.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17, 1926

UNITED STATES MARSHAL

Asa W. Butler to be United States marshal, western district of Missouri.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

Frank Dexter Applin to be major, Signal Corps.
Harry Emerson Storms to be first lieutenant, Signal Corps.
Raymond Miller Barton to be second lieutenant, Cavalry.

PROMOTIONS IN THE ARMY

Donald Davie Hay to be lieutenant colonel, Infantry.
Alfred James Maxwell to be major, Finance Department.
James Miles Webb to be chaplain with rank of major.

REAPPOINTMENT IN THE ARMY

Samuel Herbert Wolfe to be brigadier general, reserve.

POSTMASTERS

ALABAMA

John T. Williams, Evergreen.
William C. Starke, Troy.

CALIFORNIA

Harry A. Bradford, Hayward.
Charles G. Heiser, Jackson.
Percy H. Nordstrom, Kingsburg.
John W. Mullen, Mendocino.

COLORADO

Edgar B. Wicks, Pueblo.
William W. Hofer, Simla.

FLORIDA

Inez Morrison, Barberville.
Clayton P. Bishop, Eustis.
Thomas S. McNicol, Hollywood.
William W. Zipperer, Jennings.
Charles S. Williams, Key West.
Rhea W. Pherigo, Kissimmee.
Warren G. Ross, Leesburg.
Maggie M. Folsom, Port Tampa City.
John L. Wall, Summerfield.

GEORGIA

Edwin K. Large, Atlanta.
Walter R. Cannon, Clayton.
George W. Jordan, Whigham.
George R. Burton, White Plains.
John W. Westbrook, Winder.

INDIANA

Ernest W. Showalter, Brookville.
Charles F. Porter, Hagerstown.
Henry Suhre, Oldenburg.
Jesse M. Johnson, Shirley.

LOUISIANA

Maggie E. Jones, Ringgold.
Paul T. Thibodaux, Donaldsonville.
Lewis A. Wood, Ponchatoula.

NEVADA

Emanuel Bollschweiler, Wells.

NEW JERSEY

Melvin H. Roberson, Annandale.
William Jeffers, Hackensack.

OKLAHOMA

Maud L. Vaughan, Supply.

SOUTH CAROLINA

Morgan Zimmerman, Duncan.

TEXAS

Sidney B. Smith, Gorman.
George P. Harden, Groom.

HOUSE OF REPRESENTATIVES

MONDAY, *May 17, 1926*

The House met at 12 o'clock noon.

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

Be mercifully and graciously near us this day, O Lord. Draw us into a higher realm of action and thought, that we may worthily reflect the precepts of the Master Teacher. As we are the children of Thy bounty, let the divine within us dominate the human and bring us closer to the Father's heart and thought. Encourage and guide us in our endeavors to attain that which is well pleasing in Thy sight. May we most effectively contribute to the public weal and to the happiness and success of humanity. Down in the deep recesses of our beings, where we dwell alone with ourselves, may we be persuaded "that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature shall be able to separate us from the love of God, which is in Christ Jesus our Lord." Amen.

The Journal of the proceedings of Friday, May 14, 1926, was read and approved.

QUESTION OF PRIVILEGE—THE RECORD

Mr. ASWELL. Mr. Speaker, I rise to a question of privilege, to correct the RECORD.

The SPEAKER. The gentleman from Louisiana rises to a question of privilege with reference to a correction of the RECORD. The gentleman will state it.

Mr. ASWELL. Mr. Speaker, on Friday last, May 14, 1926, in a colloquy between the gentleman from Ohio [Mr. BRAND] and myself I present herewith a copy of the Reporter's notes of what occurred, as distinguished from what is printed in the RECORD. I had Mr. BRAND's office telephoned a moment ago to invite him to be present, but I do not see him here. I hope he will be in before I get through. I had been discussing the question of the $75,000,000 offer in the Haugen bill as a bribe to the southern Members, and during Mr. BRAND's address I asked him to yield. He yielded. I then asked him a question and he replied without answering the question. Then I said this:

But the gentleman has not answered my question.

This is what Mr. BRAND said, according to the Reporter's notes, and according to dozens of Members that I met immediately thereafter—in fact, wherever I went some one mentioned it to me. It threw a little panic into some gentlemen on the Republican side of the Chamber, because the gentleman from Ohio unwittingly and unintentionally told the truth of the Haugen plan. This is what he said: