

Mr. REED of Missouri. May I suggest to my friend from South Carolina that perhaps he could get unanimous consent that his colleague in this particular instance be permitted to state how he voted on this particular matter.

Mr. BLEASE. That is all I want. I make that request, that the senior Senator from South Carolina [Mr. SMITH] have the right to state how he voted on the Woodlock nomination.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered. Does the Senator withdraw the resolution he offered?

Mr. BLEASE. Yes; I withdraw it.

SEQUOIA NATIONAL PARK

Mr. SHORTRIDGE. Mr. President, I ask unanimous consent to call up House bill 9387, to revise the boundary of the Sequoia National Park, Calif., and to change the name of said park to Roosevelt-Sequoia National Park.

At the time this bill was introduced in the House, I introduced a like bill in the Senate, which has been favorably reported, and is to be found on the calendar, being Order of Business No. 1013. If this unanimous consent is granted, Senators will put me under additional obligations; and if the House bill is acted on favorably and passed, then we can indefinitely postpone the Senate bill.

Mr. KING. Mr. President, let me ask the Senator a question? The Sequoia National Park is a lovely park, which has served and will serve a useful purpose. It is known throughout the world as the Sequoia Park. Why give it a hyphenated name, with all due respect to any person, whether Lincoln, or Jefferson, or Hamilton, or anyone else? It does seem to me that there is no necessity for changing the name. If the proposed boundary is approved by the Secretary of the Interior, I have no objection to that part of the bill being acted on; but it does seem to me that we are a little too anxious to change names and without any reason. I hope it is not necessary to change the name.

Mr. SHORTRIDGE. Mr. President, may I answer in a few words only? Of course, that question arose in the House; but after discussion it was decided to add the word "Roosevelt" to the name, which is now "Sequoia National Park." When the bill came over to the Senate and was before the Senate committee, the same discussion arose, naturally, and there were those who indulged in the thought just now expressed by the Senator from Utah.

Of course, Senators are familiar with the word "Sequoia," the name of a great Cherokee chief. I may add that there was some little discussion over the spelling of the word. There were those who thought that the old spelling should be retained rather than that the modern spelling should be followed. We know how it came about that the name was chosen. To those great trees which pierce the sky the name Sequoia was given, and the park has since been known as the Sequoia National Park.

Mr. KING. I want to ask the Senator what Mr. Roosevelt had to do with that park.

Mr. REED of Pennsylvania. Mr. President, will the Senator from California yield?

Mr. SHORTRIDGE. I yield.

Mr. REED of Pennsylvania. A number of Senators have left the Chamber, some of them with engagements which they could not cancel, and they left on my assurance that we would stick to the veterans' bill until a recess was taken. It does not seem fair to them to be taking up bills now by unanimous consent on which they might have strong views.

Mr. SHORTRIDGE. Mr. President, inasmuch as the House passed this bill, inasmuch as the Senate committee reported it unanimously, and inasmuch as it couples two great names together, I can not understand why Senators upon a moment's reflection will object. I can not understand why the Senator from Utah objects to associating the name of a great American, the late President Roosevelt, with the name of a great native American, the Cherokee chief, Sequoia.

They will stand together. Their names will be associated together. The fame and the achievements of neither will be dimmed or minimized. There were those who thought that adding the name Roosevelt would in a sense submerge the name of the great Cherokee chief, but I do not think that will be the result. I hope Senators will permit the bill to be now considered and passed.

Mr. MCKELLAR. Mr. President, will the Senator permit me to suggest an amendment to the effect that the park be called the Wilson-Roosevelt-Sequoia Park?

Mr. SHORTRIDGE. Oh, Mr. President, if the Senator—

Mr. REED of Pennsylvania. Mr. President, I renew my motion that the Senate take a recess—

Mr. SHORTRIDGE. Mr. President, I have the floor. I have sat here to-day with Christian patience and listened to Senators and I have not objected to like requests. Indeed, if I may say so, I do not recall that I have ever objected to a like request.

Mr. REED of Missouri. Mr. President, I do not rise to object. I merely wish to inquire what the particular affinity is between Roosevelt and Sequoia? How does the Senator connect them up? [Laughter.]

Mr. SHORTRIDGE. At this hour I am not disposed to indulge in levity or any attempt at wit or to get into controversy with my friend. I do not say that through any braggadocio or through any fear. Individually, if I may state my view in a word, I see no necessity for coupling these two names together; but others desire it and I have no objection. We can not add to the fame of either of those men.

Mr. REED of Missouri. I am for the bill because California wants it, but I would like to have reasonable cause to offer for linking those two names.

Mr. KING. Mr. President, the Senator having made his eloquent address, I think perhaps we had better dispose of the measure some other day. I object.

Mr. SHORTRIDGE. I have not attempted to make an eloquent or any other kind of address, and have made none. I have not attempted anything but to ask respectfully for immediate consideration of the bill. If the Senator from Utah objects to it, be it so.

The VICE PRESIDENT. Objection is made.

WALKER RIVER DAM, NEV.

Mr. ODDIE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses, as follows:

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

TASKER L. ODDIE,
SAMUEL M. SHORTRIDGE,
Managers on the part of the Senate.
SCOTT LEAVITT,
CARL HAYDEN,
Managers on the part of the House.

Mr. KING. Will the Senator from Nevada explain what the disagreement was?

Mr. ODDIE. There were some minor amendments made by the House. I moved that the Senate disagree to the House amendments and request a conference with the House. We found, however, owing to the pressure of time, that it was better to give way to the House.

Mr. KING. Does it change the responsibility of the Government or increase the obligations of the Government?

Mr. ODDIE. It lessens the obligations of the Government.

Mr. KING. Is it a unanimous report?

Mr. ODDIE. It is.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

RECESS

Mr. REED of Pennsylvania. I move that the unanimous-consent agreement previously entered into be carried out and the Senate take a recess until 12 o'clock on Monday.

The motion was agreed to; and the Senate (at 6 o'clock and 3 minutes p. m.), under the order previously entered, took a recess until Monday, June 28, 1926, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

SATURDAY, June 26, 1926

The House met at 12 o'clock noon, and was called to order by the Speaker.

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

We hallow Thy name, our blessed Lord, for it is the name above all other names in heaven and in earth; we therefore pause in Thy holy presence. Do Thou bear and be patient with us, O God. Create in us clean hearts and renew a right spirit within us, that we may move forward to larger and better attainments. May we fully realize that the world has

no lasting honors for those who seek only fame, while those who forget themselves to serve the needs of others are often immortalized in the lives and destinies of those who come after. Guide us by Thy law, rule us by Thy love, and direct us in the path of duty. May the angel of Thy mercy, bounty, and goodness encamp round about us and make all events conspire to serve our country and our fellow men. Through Christ our Savior. Amen.

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

MESSAGE FROM THE SENATE

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

H. R. 6405. An act for the relief of Addison B. McKinley.

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

H. R. 11318. An act to provide for the publication of the Code of the Laws of the United States, with index, reference tables, appendix, etc.; and

H. R. 10000. An act to consolidate, codify, and reenact the general and permanent laws of the United States in force December 7, 1925.

The message also announced that the Senate had further insisted upon its amendment to the bill (H. R. 2) 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, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon and had ordered that Mr. PEPPER, Mr. EDGE, and Mr. GLASS act as the conferees on the part of the Senate.

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

Senate Resolution 263

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES E. FULLER, late a Representative from the State of Illinois.

Resolved, That a committee of six Senators be appointed by the President of the Senate, to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 o'clock meridian to-morrow.

The message also announced that the Senate had passed without amendment House concurrent resolution of the following title:

House Concurrent Resolution 31

Resolved by the House of Representatives (the Senate concurring), That there shall be printed, with illustrations, 10,000 additional copies of Senate Document No. 86, Sixty-second Congress, first session, entitled "Last Will and Testament of George Washington," of which 7,000 copies shall be for the use of the House of Representatives and 3,000 copies for the use of the United States Senate.

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

H. R. 8941. An act for the relief of Turpin G. Hovas;

H. R. 12642. An act granting the consent of Congress to the Board of County Commissioners of Trumbull County, Ohio, to construct a free overhead viaduct across the Mahoning River at Niles, Trumbull County, Ohio.

The message also announced that the Vice President had appointed Mr. GREENE, Mr. DALE, and Mr. BINGHAM members of the United States Vermont Sesquicentennial Commission on the part of the Senate pursuant to the provisions of House Joint Resolution No. 176, establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversaries of the independence of Vermont and the Battle of Bennington.

ENROLLED BILL SIGNED

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

H. R. 6405. An act for the relief of Addison B. McKinley.

IRRIGATION DAM ON THE WALKER RIVER, NEV.

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the conference report on the bill S. 2826 and move the adoption of the same.

The SPEAKER. The gentleman from Montana calls up the conference report on the bill S. 2826, which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev.

The SPEAKER. The Clerk will read the conference report. The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House including the amendment to the title of the bill.

And agree to same.

SCOTT LEAVITT,
CARL HAYDEN,

Managers of the part of the House.

TASKER L. ODDIE,

SAMUEL M. SHORTRIDGE,

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 House to the bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev., submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

The Senate recedes from its disagreement to the amendments of the House and leaves the measure in the same form it passed the House.

SCOTT LEAVITT,
CARL HAYDEN,

Managers of the part of the House.

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

The conference report was agreed to.

TAKING THE OATH

Mr. WOODYARD appeared before the Speaker's rostrum and the oath of office was administered to him by the Speaker.

BRIDGE ACROSS THE FOX RIVER, ILL.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12208, with Senate amendments, and agree to the Senate amendments.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 12208, with Senate amendments, and agree to the Senate amendments. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12208) granting the consent of Congress to the Aurora, Elgin & Fox River Electric Co., an Illinois corporation, to construct a bridge across the Fox River in Dundee Township, Kane County, and the State of Illinois.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

SECOND DEFICIENCY BILL, 1926

MR. MADDEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1926, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1926, and June 30, 1927, and for other purposes, and pending that, Mr. Speaker, I would like to ask the gentleman from Tennessee [Mr. BYRNS] if we can agree upon the time for general debate. We had a sort of understanding day before yesterday that we would let the debate run for a while.

MR. BYRNS. That is my understanding.

MR. MADDEN. Then I ask unanimous consent, Mr. Speaker, that no time be fixed for general debate, but that the time be equally divided between the gentleman from Tennessee [Mr. BYRNS] and myself, until we can see how long it will take to dispose of it.

THE SPEAKER. For the time being the gentleman from Illinois asks unanimous consent that the general debate be equally divided, one half of the time to be controlled by the gentleman from Tennessee [Mr. BYRNS] and the other half by himself. Is there objection?

There was no objection.

THE SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13040. The question is on agreeing to that motion.

The motion was agreed to.

THE SPEAKER. The gentleman from Oregon [Mr. HAWLEY] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13040, with Mr. HAWLEY in the chair.

THE CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13040, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1926, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1926, and June 30, 1927, and for other purposes.

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

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

There was no objection.

MR. MADDEN. Mr. Chairman, I yield 30 minutes to the gentleman from Maryland [Mr. HILL].

THE CHAIRMAN. The gentleman from Maryland is recognized for 30 minutes.

MR. HILL of Maryland. Mr. Chairman and gentlemen of the committee, it is an unexpected pleasure to open the debate on the second deficiency appropriation bill, appropriating in all \$43,372,065.34. There is no source of information open to the House of Representatives which gives a better insight into the general workings of the Federal Government than the appropriation bills, and there are no particular types of appropriation bills that are more interesting in studying the functions of the Federal Government than are deficiency appropriation bills. I think that anyone who is interested in an orderly study of the development of the functions of the Government will find that the printed hearings of the Appropriations Committee, and especially on the deficiency bills, furnish a very marvelous storehouse for research.

This particular bill, the second deficiency appropriation bill, contains a number of very interesting and very important items. The chairman of the Appropriations Committee, the gentleman from Illinois [Mr. MADDEN], has a habit of going very much to the bottom of all Government situations when the question of appropriation comes up.

The pending second deficiency appropriation bill, as I have said, expends over \$43,000,000. It includes a multitude of governmental activities. It contains, for instance, an appropriation of \$15,000 for the fire-protection system for the quarantine station at Baltimore, Md. It contains an appropriation of \$250,000 for aircraft in commerce. It contains \$100,000 for the improvement of the Forest Service in national forests. It contains increased appropriations for the Federal penitentiaries, made necessary by the increased and widened scope of the activities of the Federal Government. It contains an appropriation of \$2,700,000 more for the Coast Guard vessels, made necessary by national prohibition. It also contains the following

two items: (1) For the construction of military posts and (2) for the attempted enforcement of the national prohibition act. These appropriations are as follows:

MILITARY POST CONSTRUCTION FUND

Military post construction fund: For construction and installation at military posts of such buildings and utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary, as authorized by the act approved May 4, 1926, payable from the military post construction fund created by section 4 of the act approved March 12, 1926, without reference to sections 1136 and 3734, Revised Statutes, including also the employment of a technical expert at per diem rates not in excess of those paid for similar services elsewhere and as may be fixed by the Secretary of War without regard to the provisions of the act of Congress entitled "An act for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and amendments thereto, or any rule or regulation made in pursuance thereof, \$2,250,000, to remain available until expended: *Provided*, That in addition to the amount herein appropriated the Secretary of War is authorized to enter into contracts for the purpose of carrying into effect the said act of May 4, 1926, to an amount not in excess of the unappropriated balance in the military post construction fund at the time when such contracts are made, but not exceeding \$3,520,000.

INTERNAL REVENUE SERVICE

For expenses to enforce the provisions of the national prohibition act and the act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended by the revenue act of 1918, and the act entitled "An act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909," as amended by the act of May 26, 1922, known as the narcotic drugs import and export act, including the same objects specified under this head in the Treasury Department appropriation act for the fiscal year 1927, \$2,686,760.

There are a great many matters in this present appropriation bill which I should like very much to discuss and I also have the very rare and unusual privilege of having plenty of time in which to discuss them, but there are a number of other gentlemen to speak who have made very careful studies of certain aspects of this bill, and, therefore, I shall touch only briefly on two particular phases of it.

I want to speak for a few minutes on two things which are not, apparently, very closely allied, but, as a matter of fact, which are very, very noteworthy when we consider the fundamental principles of this Government.

I want to say a few words to you on the subject of the appropriation for the War Department—that is, the appropriation of \$2,250,000 for the military post construction fund—and then I also wish to say a few words to you in reference to the facts disclosed at the hearings on the subject of the appropriation of \$2,686,760 as extra money needed for 1927 for the attempted enforcement of the national prohibition act in this one year.

It may not seem to you on the face of it that the attempted enforcement of prohibition and the building of barracks for national defense are very closely coordinated, but they go down to the very fundamentals of the principles on which this Government is founded.

This Government was founded for the sole purpose of creating an agency which could look out for the general welfare of all of those particular republics that merged a portion of their sovereignty into the new central government. The National Government was founded for the sole purpose of taking care of certain delegated things. There never was a document more carefully drawn than the Constitution. It was drawn with the definite purpose of only turning over to the Federal Government the sorts of things that the States could not properly operate for themselves.

Now, in this present appropriation bill by taking these two items, the one item of \$2,250,000 for building barracks for the national defense and the item of \$2,680,760 for attempting to enforce the national prohibition act, you have an illustration of the proper function of the Government and you have an illustration of an improper function of the Government, which shows a centralization and a taking over of the duties of the States by the Federal Government, which the whole theory of the Constitution was devised to prevent.

I am not going to make a speech on the general subject of prohibition. It is a question which is very much in the public mind, but I do want to say a few words about what this experi-

ment in national prohibition is leading to on the part of the National Government, as set forth in the pending bill.

In the first place, there is definitely appropriated \$2,250,000 on account of authorized total expenditures of \$5,770,000 for the permanent housing of the defense troops of this Nation. Every Chief of Staff of the Army and every Secretary of War for the past 40 years has urged the abolition of useless frontier posts and the concentration of the defensive forces of this country into logically placed defense areas, and since we adopted the national defense act this country for the first time has adopted a rational principle of defense and has divided the country into nine corps areas. This Congress did a very good piece of constructive work when it passed a bill, the Wadsworth-Hill Act, in this session creating the permanent Army post construction fund, which at the present time has in it potentially and actually about \$28,000,000.

You recently passed your authorization for the expenditure of \$5,770,000 for barracks, and I am very glad to see that the money is now being actually appropriated in this pending bill, so that there may be immediately started permanent and proper barracks in the corps area training centers and other mobilization points which have been created as an immediate necessity in case this country ever has to defend itself again. I am very glad to see that the money is now actually being appropriated which will authorize in a very short time the beginning of the construction at Camp Meade of soldiers' barracks—the appropriation being \$410,000—to take the place of the miserable shacks which are there at the present time, and which, in one case, caught fire and almost burned up a number of soldiers, and which, in another case, were so rickety that the men had to be ordered out of them for fear they would fall down. I am also glad to see that the quarters at the Edgewood Arsenal are now being definitely and actually appropriated for to the extent of \$90,000. I want to congratulate this House of Representatives on having put into concrete law a definite theory of location and development of barracks and posts in this country entirely in accord with the theory of national defense. That is a proper function of this Government.

But then we come to another item in this bill of a totally different sort. I am not arguing the merits of prohibition, *per se*; I am not discussing the question whether State prohibition is a good or bad thing, but I am calling to your attention the direct result of the first experiment in national prohibition, the first experiment that was ever made in having the Federal Government take over the local police laws of the State.

We hear in this country a great deal about "law enforcement" and we hear in this country a great deal of discussion about amendments to the Volstead Act or possible amendments to the eighteenth amendment to the Constitution.

Of course, under our oaths as officers of the Government, it is our duty to do all we can to see that all the laws of the United States are enforced; but there is a shibboleth which goes back and forth throughout this land, and when some people speak of "law enforcement" they do not mean the enforcement of all the laws of the United States. They do not mean the enforcement of the act of 1874, for example, which was put on the books for the purpose of carrying out and making vital the provisions of the fourteenth and fifteenth amendments to the Constitution. The act of 1874 is just as vital and just as alive at the present time as it ever was. I happen to know personally about it, because in 1912, as United States district attorney for Maryland, I prosecuted and convicted three election supervisors in Maryland for deliberately disfranchising the negroes, as negroes, of their votes.

I only cite this as an illustration of one of the laws of the United States which no one who talks for "law enforcement" considers or in any way takes up as part of their shibboleth. It, the enforcement act of the fourteenth and fifteenth amendments, is one of the great laws of the United States. The statute books of the Federal Government are full of laws at the present time which are not enforced and which nobody attempts to enforce, and when a certain group of people in this country talk about "law enforcement," they mean nothing except the enforcement of the Volstead Act under the eighteenth amendment. Now, gentlemen, how long are you going to continue to attempt—

Mr. MADDEN. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. MADDEN. The gentleman does not think law enforcement is confined to that law, does he?

Mr. HILL of Maryland. I will say to the gentleman that after reading the very able questions which the chairman of the committee put to General Andrews, I am inclined to think that the only thing that some people who are attempting to enforce laws think about is this particular question.

Mr. MADDEN. Of course, when those questions were being propounded the only thing before us was this law, and there was not anything for him to say except as to this law.

Mr. HILL of Maryland. I think the chairman asked very pertinent and very relevant questions.

Gentlemen, this subject is a subject of such wide and far-reaching interest that when one starts on a discussion of the relation of the Constitution to the theory of the eighteenth amendment it goes back into the whole history of our Government. I only want to take two or three minutes to call attention to certain things in this law. Most of you here voted for every appropriation that has been asked for by the Prohibition Unit of this Government.

Mr. BOYLAN. Will the gentleman yield?

Mr. HILL of Maryland. I yield to the gentleman.

Mr. BOYLAN. Could the gentleman give us approximately the amount that has been appropriated so far by this Congress for the enforcement of prohibition?

Mr. HILL of Maryland. I would like the attention of the chairman of the committee for a moment. Will the gentleman from Illinois permit me to ask him a question?

Mr. MADDEN. Yes, indeed.

Mr. HILL of Maryland. The gentleman from New York [Mr. BOYLAN] has asked how much money has been appropriated so far for the attempted enforcement of the eighteenth amendment by this Congress—

Mr. MADDEN. I am not able to say exactly, but I would say about \$2,000,000 the first year, and then it ran up to about \$4,000,000 the next year, and if I recall, about \$6,000,000 the next year, \$9,000,000 the next year, and ten million and odd dollars the next year, and altogether the annual bill now is about \$28,500,000.

Mr. HILL of Maryland. Twenty-eight million five hundred thousand dollars, exclusive of the Department of Justice.

Mr. LA GUARDIA. And exclusive of the Coast Guard.

Mr. HILL of Maryland. Yes; exclusive of the Coast Guard.

Mr. MADDEN. And that item for the Coast Guard is about \$13,000,000?

Mr. LA GUARDIA. Yes.

Mr. HILL of Maryland. Now, gentlemen, on top of that sum this bill proposes over two and a half million dollars more.

Now, what is the purpose of this appropriation? I expect to vote for this bill because what we have got to do is to go through the motions of attempting to enforce a law which can not be enforced, in order to show it can not be enforced, but what are we doing here?

We are about to create a Federal spy system to spy on State officers and State courts, a novelty in Federal practice. We are about to create a beer squad to inspect the one-half of 1 per cent breweries. We have already given power of inspection by putting on a one-tenth of 1 cent tax per gallon—

Mr. MADDEN. If the gentleman will permit me to amplify my answer of a moment ago, those figures include enforcement of the narcotic law as well.

Mr. HILL of Maryland. Yes.

This bill also provides for a new inspection force called the industrial alcohol inspection force. General Andrews says that there has been created a new crime against the Government, to wit, the crime of taking industrial alcohol and denaturing it, and apparently they have devised schemes now by which they can denature anything. General Andrews testified before a subcommittee of the Senate that they could take alcohol which was literally poison and which was used to put in the radiators of automobiles, and they could so "renature" it, or so de-denature it, or so rectify it at the present time, that it became perfectly harmless when made into these rotten, illicit liquors that are made in the back alleys of this Nation.

In addition, there are numerous other squads which General Andrews says are necessary. I want to call the attention of the committee to the "beer" squad. It was thought that when prohibition had been in force the length of time it has been that there would have been a cessation of demand for these beverages. General Andrews, on page 513, of the hearings, estimates that the consumption a year of beer, illicit, high-power beer, is about 100,000,000 gallons and he wants to stop that. He also estimated, in answer to the question of the chairman of the committee, that the industrial alcohol diverted to bootleg purposes amounts to about 15,000,000 gallons a year.

According to the bulletin put out last year by the Federal Council of Churches, the figures run very much more than that, but there is an admitted condition of that sort existing in the country.

Now, what is the ambition of General Andrews as disclosed by the hearings? General Andrews's ambition is this: He says

that if you appropriate this \$2,500,000 more and give him these various squads of investigators, he will be able to do what?

He says he will be able to drive away illicit bootleg liquor from the street and into the homes.

On page 508, he says:

The CHAIRMAN. And what do you think will be the effect of that?

General ANDREWS. It will eliminate, first, the source of supply for the illegitimate traffic in liquor, and will probably turn the bootlegging industry to illegitimate distillation as the source of supply. That is what I expect.

The CHAIRMAN. Then, what will happen?

General ANDREWS. Then I am asking for the right to get search warrants on the basis that we have evidence that a private dwelling is being used as a commercial distillery, and if we get that law, we will make it pretty hard for them to distill their source of supply. If we succeed in turning the industry away from that source of supply, then, ultimately, we will get it back on the basis where every man will make his own whisky in his own home for his own consumption.

Gentlemen, I do not think we can realize too deeply what that form of testimony means. There is the prohibition enforcement officer who admits that under national prohibition the best he can do is to drive this rotten strong drink off the streets and create a condition in which every man will make his own whisky in his own home for his own consumption.

I want to call attention to a very different picture.

Thomas Jefferson said, or Madison said, that the great founders of this country believed in true temperance. I am not talking about the merits of State prohibition, I am talking of the constitutional theory of local police in relation to the Federal Government.

Jefferson said, or perhaps it was Madison, that a nation where wine was used was a temperate nation; that a nation where strong drink was used was an intemperate nation; and the whole group of Federal fathers of this country were absolutely for the substitution, by persuasion and by encouragement, of mild beverages, beer and wine, for the colonial equivalent of the rotten stuff which is corrupting the country at the present time and which, according to General Andrews, is being driven back to be made in the homes.

I have here an article or statement from a book by a mayor of New York, Philip Hone, 100 years ago. He kept a diary and in his diary he refers to a visit he made to the first United States Senator from Maryland in March, 1830. I think you gentlemen should see what true temperance meant among the founders of this Nation as compared with conditions under the constitutional provision at the present time. I therefore read an extract from the diary of the mayor of New York, in which he said:

I paid this morning a visit, which I have long been wishing for, to the venerable Charles Carroll, only surviving signer of the Declaration of Independence. He will be 94 years of age next September. His faculties are very little impaired, except his sight, which within the last few months has failed a little and deprived him of the pleasure of reading at all times, which he has heretofore enjoyed.

He is gay, cheerful, polite, and talkative. He described to me his manner of living. He takes a cold bath every morning in the summer, plunging headlong into it, rides on horseback from 8 to 12 miles, drinks water at dinner, has never drank spirituous liquors at any period of his life, but drinks a glass or two of Madeira wine every day, and sometimes champagne and claret, takes as much exercise as possible, goes to bed at 9 o'clock, and rises before day.

The first Senator of the United States from Maryland, Charles Carroll of Carrollton, began his service March 4, 1789. He enjoys the almost unique distinction of having resigned November 30, 1792, nearly five years before the expiration of his term, which was, by the terms of his election, March 4, 1797. The first Senator from Maryland lived and died in what is now the third congressional district, in that portion of the district known as the third ward. Including him, there have been 49 Senators from Maryland since the foundation of the United States. Can anybody imagine Charles Carroll of Carrollton advocating the eighteenth amendment to the Constitution? Can anyone imagine Washington, or Jefferson, or Madison advocating such an amendment? Carroll was also the last surviving signer of the Declaration of Independence. He never used spirits in his life. He was an example of true temperance, as he was one of the foremost examples of the willingness to sacrifice everything for American freedom. That is the type of Senator Maryland wants—a man fearless, willing that every element of the people should know his position on all public questions, and withhold, temperate.

There is the first United States Senator from Maryland at the age of 94 plunging into a bath, and riding 12 miles a day,

drinking temperate beverages such as Madeira, champagne, and claret, and doubtless, like Washington, "small beer," and never touching the national drink of the American people of to-day, namely, alcohol and water mixed with coloring and some flavor.

Now, one thing more. I want to show you one of the things for which this appropriation is to be made.

On page 529—and I am talking now not against the appropriation, for we have got to try the experiment, we have got to spend the money until we get back to the theory that the National Government is to control national matters and the local governments are to control local matters.

Here is the question that the chairman asked:

The CHAIRMAN. That is what I mean by local courts. You believe that the organization of the force you are suggesting will enable you to clarify the atmosphere to such an extent as to confine the cases which you will have to bring into court to the great fundamental problems?

General ANDREWS. To the major cases; yes, sir. That is well put.

Now, you want to know how this under-cover organization will assist us in doing that?

The CHAIRMAN. Yes.

General ANDREWS. When we find, for instance, that where we have put up to the local authorities the question of the enforcement of the law locally, and that in a certain county or a certain State law violations have become rampant, there are just two things to be done. Shall we go in and do that local police work? I say that we should not. We would send under-cover investigators there, and no one would know anything about it, but some day they would be presented to the grand jury with evidence which would result in the indictment of those officers responsible for law enforcement in that State or county, and who have been conniving actively with law violators.

The CHAIRMAN. In other words, you will be able to disclose conspiracies in which those officials may enter for the purpose of preventing the enforcement of the prohibition law.

General ANDREWS. Yes, sir; you are right. In that way we will encourage and make more popular the proper function of the local law officials. That will be the result, when they realize that there may be working right in their towns Federal under-cover agents who will expose them in conspiracy cases.

Mr. Chairman, I know that a lot of people think that every time I get up on the floor of the House of Representatives I speak about prohibition.

Mr. COLE. Well, the gentleman does, does he not?

Mr. HILL of Maryland. No; I do not. This is the first time that I have spoken at length on the subject of prohibition at this session of Congress, although I have spoken many times on other matters that, like prohibition, tend to destroy State rights and home rule. I have one more word to say about it, and that is all. Contrast these two things. Here is the appropriation of \$2,500,000 for the housing of troops for national defense, a legitimate and proper function of this Government under the original foundation. Here is the appropriation of over \$2,500,000, a large part of which is to provide a crowd of spies by which the Federal Government can detect the delinquencies and alleged conspiracies and criminal actions of State officers in violating this national prohibition act. Here is how a large part of your money is being spent by a Federal under-cover organization. What would Charles Carroll of Carrollton, what would Washington, Jefferson, and Madison have said if the Federal Government had proposed to have an "under-cover organization" such as you are appropriating for here, a Federal spy system on the sovereign States!

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

Mr. HILL of Maryland. Yes.

Mr. DENISON. What does the gentleman think the Federal Government ought to do, if anything, when those conditions exist, where State officials are conspiring to help violate the Federal Constitution and Federal laws?

Mr. HILL of Maryland. When you have a condition where the State officials are not enforcing the law, and where they are so corrupt that it requires an "under-cover squad" of spies on the part of the Federal Government, then we ought to pause and consider whether the experiment of having the Federal Government take over the local State police rights is a wise thing or not.

Mr. DENISON. But we are not up to that point yet. We now have this provision in the Constitution, and we have this law of Congress. When the Federal Government officials charged with the administration of the law find that condition to exist, what ought they to do, and what would the gentleman do?

Mr. HILL of Maryland. What the gentleman would do would be this: If I had to do with a law which was so generally violated by the State authorities that the Federal Gov-

ernment had to come in and prosecute the State authorities. I would realize that the Federal Government—and I would realize it gracefully—should retire from the field of endeavor which the Federal Government improperly entered.

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

Mr. HILL of Maryland. Yes.

Mr. LAGUARDIA. Is not the converse also true? Have not the States the same privilege of employing under-cover men to discover corruption and graft upon the part of the officials of the Federal Government—and they will find a lot of it there?

Mr. HILL of Maryland. I think that is a very interesting situation. Here is the great Government of the United States, and then the separate governments of each of the 48 States. The Federal Government employs "under-cover men" to find corruption in the State officials, and the several States employ "under-cover men" to find corruption amongst the Federal officials. That is a splendid condition of affairs, is it not? To contemplate the possibility of the future danger of such a condition appalls one.

Mr. DENISON. Does the gentleman from Maryland believe that the Federal Government ought to enforce the prohibition law?

Mr. HILL of Maryland. I believe the Federal Government has—

Mr. DENISON. Oh, will the gentleman answer the question.

Mr. HILL of Maryland. But that question is not a straight question?

Mr. DENISON. I think that is a pretty straight question.

Mr. HILL of Maryland. Oh, no; it is the same as the old question of asking a man whether he has stopped beating his wife when we know that he had never beaten his wife.

Mr. DENISON. Does the gentleman believe the Federal Government ought to enforce prohibition?

Mr. HILL of Maryland. That is exactly the same as if I should say to the gentleman, Have you stopped drinking bootleg liquor? when I know that he never drank it.

Mr. DENISON. Is the gentleman going to answer my question, whether he believes the Federal Government ought to enforce the law or try to enforce it?

Mr. HILL of Maryland. Yes. I have been brought up in this theory of government. If I see a drowning boy and I know perfectly well he can not be saved, I suppose I would be fool enough to go out and drown myself in an effort to save the boy. Yes; I believe in saving the drowning boy. In the same way I believe that you have got to go through the motions of attempting to enforce the law; but I say to my colleague that we are a rational group of men, and when the time comes that we are down to the position where we have to employ spies on the State police and other officers for this purpose, we have reached a point of danger the contemplation of which is appalling. I say to the gentleman there never before existed in the Federal Government a condition where the Government had to keep a special band of spies to spy on State officials.

Mr. DENISON. Oh, the Federal Government employs this so-called underground squad to detect robberies of the mail and any other violation of the postal laws and things of that kind than we have from the very beginning.

Mr. HILL of Maryland. No. That had not to do with the officials of the States.

Mr. DENISON. And we do the same thing to detect the counterfeiters.

Mr. HILL of Maryland. No! They are not State officials. The gentleman is a very able constitutional lawyer and I want to ask him this question. Did the gentleman ever know of a case in the history of this Nation before—and I do not ask this in a trivial spirit—in which the Federal Government found it necessary to employ a large, well-organized force of men for the purpose of detecting criminal actions on the part of State officers?

Mr. DENISON. I do not know of any case of that kind at the present time, because as a general rule the State officers cooperate with the Federal Government in enforcing the Federal laws. But it just happens that there are localities in this country where the State officials are not in sympathy with the prohibition law, and they are conspiring to help violate it. That is a situation that has arisen only in recent years, apparently, and having arisen, what ought the Federal Government to do?

Mr. HILL of Maryland. The gentleman has made a very frank statement of that. He says that this is the first time that condition has arisen.

Mr. DENISON. The first that I know of.

Mr. HILL of Maryland. I think the gentleman is right. I do not think any of us know of any condition similar to that. When we find for the first time in the history of this Nation

a condition of that kind, then I say we would better coordinate it with the constitutional discrepancy contained in the eighteenth amendment. [Applause.] The basis of government is the enforcement of its laws. When there exists one law out of a thousand that so differs from all others that the Federal Government must create a spy system for the sole purpose of watching State officers, there must be something very wrong with that one law.

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

Mr. BYRNS. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. ARNOLD]. [Applause.]

Mr. ARNOLD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

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

Mr. ARNOLD. Mr. Chairman, gentlemen of the committee, the first session of the Sixty-ninth Congress is fast drawing to a close. I think it was generally conceded when we met here last December that the most vital problem to be solved by the Sixty-ninth Congress was the agricultural problem.

Relief for agriculture was considered of vital importance when the two great political parties of this country submitted their case to the voters of the country as a jury in the general election in 1924, each asking that it be commissioned as the agency through which to carry into effect its platform pledges. That jury decided that the Republican Party should be so commissioned and thereby placed the responsibility on it. The two major parties declared their position on agriculture in their platforms as follows:

The Democratic Party pledges itself:

To stimulate by every proper governmental activity the progress of the cooperative marketing movement and the establishment of an export marketing corporation, or commission, in order that the exportable surplus may not establish the price for the whole group.

And, further:

To readjust the tariff so that the farmer and all other classes can buy again in a competitive manufacturer's market.

The Republican Party, in its platform declaration, says:

The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to assure its prosperity and success.

The administration, with the powerful influence and prestige of the executive department in molding legislation and directing its course, is likewise in complete control of both Houses of Congress, with a safe working majority on the floor of the two Houses and of every legislative committee of both bodies. On the first day of the present session of this Congress, over the opposition of the minority, it amended the discharge rule of this House, thereby hermetically sealing the door of every legislative committee room and making it impossible for the House of Representatives to discharge a recalcitrant committee and recall from it the consideration of legislation intrusted to it and on which it would not report, unless a majority of the House petitions and votes to discharge it. This in effect pillories the right of the House to discharge a committee and consider legislation on its merits on the floor of the House without the sanction and approval of the administrative forces.

On the 21st of December last on this floor I called the attention of this House to the unfortunate plight of agriculture and the situation existing throughout the agricultural sections of the country, and predicted then that the rumblings in the offing would break into a furious storm unless something was done to relieve agriculture from its unfortunate plight.

Stressing the demand for agricultural relief, I called upon those in authority to bring to the floor of the House legislation that would relieve the farmer of the economic handicap the Fordney-McCumber tariff law placed him under and enact legislation that would place him on an equal footing with industry. Later, on the 20th day of February last, on this floor I again called the attention of the House to its neglect to heed the demands of agriculture, and called particular attention to the action of the Corn Belt committee and the executive committee of the American Council of Agriculture, in conference at Des Moines, Iowa, December 21 to 22, 1925, voicing the sentiment of the united farm organizations of the West, representing something like 4,000,000 farmers, in which they took issue with the President of the United States in the statements made by him in his speech before the American Farm Bureau Federation at Chicago last fall. At that time he attempted to soothe the growing unrest in the Middle West by assuring the farmers that their ills were more imaginary than

real, and that the existing Fordney-McCumber tariff was of "great benefit to agriculture as a whole."

By permission of the House, I will insert the resolution adopted at that conference in reply to the President's labored effort to convince the agricultural West that the existing Fordney-McCumber tariff rates were a panacea for the farmer's ills, as the resolution, considered and adopted by men who know, clearly and concisely sets forth the real underlying causes of the present unfortunate plight of agriculture:

We do not concede that the existing Fordney-McCumber Act is "of great benefit to agriculture as a whole." On the contrary, the staggering burdens imposed upon the consumers of the country through this act fall as heavily upon the farmer as upon any other class—on the one hand, the farmer pays his full share of the heavy tariff tribute upon practically everything he buys, while on the other hand the price of his great surplus commodities is fixed in the world markets. The living standard of organized industry and labor is the highest and most generous any nation has ever known, while the living standard of the farmer is rapidly becoming that of the world farmer. And, therefore, what virtue has the boasted home market? At this hour this home market is offering the Corn Belt farmer 55 cents and 60 cents per bushel for his corn, when it cost him more than twice this much to produce it. Also we hope we will be pardoned for our skepticism when we refuse to become elated over reference to certain articles that are on the free list, such as farm machinery, binder twine, etc., in which lines our American manufacturers dominate the world markets and therefor control the domestic price.

If the existing tariff is such a boon to agriculture, then how can the fact be explained that, although this tariff has been in operation for five years, agriculture is at this hour staggering on the brink of complete collapse? With all due respect to the President, we desire to say that the farmers of this country know the source of their difficulties—they know that on the one hand they are carrying the heavy burdens of the protective system and sustaining the generous wage scales of organized labor, while on the other hand they are meeting world competition which industry and labor refuse to meet; and in these premises we demand of the Sixty-ninth Congress that it enact legislation that will assure the same degree of equality for agriculture that industry and labor have so uncompromisingly demanded and received for themselves. If it is not unsound to fix prices on steel, textiles, and other similar commodities by protective legislation, then why is it unsound to fix them for agriculture by the same process? If it was not unsound to vouchsafe the Adamson law to organized labor, then why be so horrified at specific legislation for the Nation's great basic industry? If it was wise on the part of Congress to stabilize our banking system through the Federal Reserve Act and our transportation system through the Esch-Cummins Act, then why not indulge the same solicitude for the 40,000,000 people who live upon the farm and whose purchasing power is so vital to our myriad mills and factories?

Finally on this score we desire to say to Congress that the time has come when it must choose between one of two alternatives—if industry insists that it can not exist without the tariff, then Congress must take agriculture in on the deal. And failing to do this, it should not blame the farmers of the United States if they invoke the principle that self-preservation is the first law, and if thus they should declare open war upon the protective system. And in saying this we will not forget the real friends of agriculture in Congress in the days to come.

In this connection we desire to remind the farmers of the South that the time has come when corn, wheat, cotton, livestock, and tobacco should make common cause and when we should fight our battles side by side. We do not ask for special privilege or subsidies—we ask only that Congress shall assure to the farmer a dollar of the same purchasing power as the dollar it has so freely granted to industry and labor.

And verily the man or set of men who deny this heartfelt plea of agriculture assume a frightful responsibility. Already hundreds of thousands of farmers have been sold out by the sheriff, while many thousands of others will suffer a similar fate before relief can possibly come. Already more than 2,000 rural banks have been forced to close their doors, while the shadow of insolvency is hovering over hundreds of other banks which only a little while ago were the pride of their communities. Therefore let those who by plausible pretext seek to minimize the troubles of the farmer pause before it is too late—let them have a care lest their attitude not only assure the final and complete collapse of agriculture but also a condition of affairs which in the not distant future will bring distress to every great industrial center.

It can not be controverted that the security and independence of the American Nation depends upon a well-balanced equilibrium between the food-producing public and our various commercial and industrial activities. These commercial and industrial activities may prosper temporarily with an unhealthy agriculture, but their prosperity can not be permanent and

sustained unless agriculture, the basic industry of America, is in a healthy, prosperous condition. That agriculture is not now in a healthy, prosperous condition and has not been during the past five years we have but to refer to some innocent but convincing figures given us by some of the Government departments.

Let me call your attention to the reports from the Department of Agriculture as to the purchasing power of the farmer's dollar measured with other trades and industries. We are advised by the Agricultural Department, through its present and former Secretary, that in 1919 the purchasing power of the farmer's dollar was 112 cents. In 1920 it had declined to 96 cents, in 1921 to 84 cents. In 1922 it arose to 89 cents, in 1923 it declined to 61.3 cents, in 1924 it was 62.4 cents, and in 1925 it had reached the low level of 60.3 cents, the lowest level it had reached during the past 35 years.

Let me further call your attention to some figures taken from the reports of the Federal Farm Census as to the values of farm lands and farm buildings.

In 1920 it is given as \$63,000,000,000, while in 1925 it is given as \$46,000,000,000, a decline of \$17,000,000,000, or 30 per cent.

From the same source as to the value of horses, mules, cattle, and swine:

In 1920 it is given as \$8,200,000,000, while in 1925 it was valued at \$5,200,000,000, a decline of \$3,000,000,000. An average loss of \$2,000,000,000 per year was sustained on the price of crops compared to the standard price the farmer was receiving before the war for the five-year period, amounting to about \$10,000,000,000, making a total depreciation from 1920 to 1925 on the items mentioned of \$30,000,000,000.

How about the entire wealth of the Nation during the same time? In 1920 it was estimated at \$290,000,000,000, while in February, 1926, the Department of Commerce estimated it at \$350,000,000,000, or an increase of \$60,000,000,000. Certainly, if these figures prove anything, a gain of \$60,000,000,000 in general wealth and during the same time a loss of \$30,000,000,000 in agricultural wealth, they prove that other industries are profiting at the expense of agriculture. They prove that our economic structure is decidedly out of balance and is of such serious nature that remedial relief is necessary. Agriculture will continue in a demoralized state until something is done to revive it and restore it to a plane of equal opportunity.

In 1920 the farmers were told that what they needed was higher tariff schedules, and with that end in view the emergency tariff law was passed, effective the latter part of 1921. The farmer's condition did not improve by the operation of the emergency tariff, and in 1922 the present Fordney-McCumber tariff law was enacted which the farmers were told would stem the tide of growing adversity and be a panacea for all their troubles. In spite of this promised relief the purchasing power of the farmer's dollar continued to decline and farm values continued to shrink. His indebtedness continued to mount or remain stationary at best. This should convince any man that instead of a high, protective tariff being a boon to agriculture, its actual operation has the opposite effect and proves to be a detriment.

It ought to be clear to any man that a protective tariff on farm commodities can be of no benefit to any country where a surplus is produced that must be disposed of in a foreign market. In the case of all such commodities the competitive world prices not only affect and govern the price of the exported surplus but it establishes the price for that portion of such products sold in home markets for home consumption. The Liverpool price of wheat determines the Chicago and Minneapolis price. Twenty per cent of our basic farm products must be marketed abroad and the price of this 20 per cent fixed by foreign competitive markets determines the price of the 80 per cent sold and consumed at home.

This places the farmer in the unfortunate position of having the price of the commodities he sells controlled by world markets and obliges him to pay prices for the things he buys for use on his farm, things to eat and wear, artificially enhanced by the existing tariff rates. That is an economic handicap that can not be overcome by advice or good will, and mere words of sympathy and good cheer that are handed out to the farmers of the country will not serve to remedy the handicap under which agriculture is now struggling, nor restore the balanced equilibrium that must exist between agriculture and industry if America is to bloom into her fullest greatness of a well-balanced, self-sustaining Nation.

The tariff enables the American manufacturer to inflate the prices of his products made and sold in America to the amount of the tariff on such article without competition from abroad. The manufacturer is protected against foreign competition on everything he sells in America and enjoys a distinct American price. Not so with the farmer.

The European countries have been our chief markets for our agricultural products sold abroad. They are recovering from the effects of the war slowly and have little money with which to buy our products. They have commodities they would like to exchange for our agricultural products but they must scale our tariff wall before they can land their products on our shores. Transportation costs and tariff duties must be added to the price of their commodities when sold here. As a result they are establishing trade relations with other countries where tariff barriers do not interfere with the barter and exchange of their commodities for those of other countries. By this policy of our Government our foreign trade is hampered and impeded and the outlet for our surplus agricultural products limited. The farmer bears the brunt of this restriction of foreign trade on account of the fact that his surplus when not marketed abroad is left to accumulate and congest domestic markets which drives his prices downward.

The American Farm Bureau estimates that the gross cost to the farmer by way of added costs on the things he must necessarily purchase is \$426,000,000 a year. The farmer receives some benefits from the tariff, estimated by the same organization to be \$125,000,000 a year. But on the whole transaction it amounts to a net loss of \$301,000,000 per year to the American farmer. In other words, for every dollar the farmer gets through the operation of the tariff it costs him four.

It is net results that concern men, and anyone knows that any transaction wherein it costs \$4 to make \$1 is a losing proposition and in the end will bankrupt any man or any business.

The present existing tariff schedules being the source of much of the farmer's difficulties, the best policy would be to remedy his ills by striking at the root of the chief economic disturbance rather than apply antidotes to counteract the effect of the disturbance. If a stream of running water is polluted by a condition upstream, the best way to have pure water is to remove the cause of pollution rather than let the cause remain and seek to counteract its effect by a purification process.

So far as the farmer's ills are concerned, a readjustment of the present tariff schedules will to a large extent accomplish that purpose. If we do not, then the only alternative is to put props of special legislation under agriculture which will be equally as effective for agriculture as manufacturers now enjoy by the tariff schedules so as to place agriculture and industry on a common level of opportunity. If we are to enact special legislation, we should not discriminate, but legislate fairly and equitably for all interests alike, and especially should this apply to the farmers, as agriculture is the basic industry in America, the foundation stone upon which our industrial greatness and prosperity must rest.

The farmers of the country are the chief consumers of the products of the American manufacturers. A narrow policy that will enable the manufacturer to profit at the expense of agriculture limits the farmer's purchasing power and will ultimately, through the adversity of the farmer, destroy his purchasing power. With his purchasing power destroyed, the products of the manufacturer will largely accumulate on the shelf and warehouse, curtailed production and unemployment will follow, and in the end adversity will likewise be the lot of all. I believe in equality and exact justice to all, and if a high, protective tariff system is so firmly entrenched in our economic structure that it must be continued, then common justice requires that we should not let it continue at the expense of agriculture, but we should do something for agriculture that will place it on a common level with corresponding advantages.

The cooperative marketing bill passed early in the session, creating a division in the Department of Agriculture where advice and counsel can be handed out to men who are engaged in marketing through cooperative associations will be of some benefit but it will not remedy the ills. There is entirely too great a spread between what the producer gets for his commodity and what the consumer pays for the same commodity. Each farm being a unit of production within itself, and the farmers so widely scattered and interests so diversified, it is difficult, indeed, to successfully market farm products through cooperative marketing systems. It will require a long time to perfect effective marketing agencies, but much has been accomplished along this line and encouragement should be offered to this end. Freight rates should be readjusted in the interest of agricultural products. Millions could be saved the farmers of the country by a readjustment of freight rates. This would enable him to put his products on the market at a great saving and procure the necessary limestone and fertilizers to maintain and build up the fertility of his soil at a greatly reduced outlay.

The so-called Haugen bill was fostered and advocated by practically all of the farm organizations of the country, but the whole power and influence of the administration was directed against the bill and it went down to defeat largely through the clever attacks and onslaughts of the very interests of the country that have been the chief beneficiaries of the present monopolistic Fordney-McCumber tariff law.

It is interesting to note that the solid vote of the New England States, New Jersey, New York, and 19 out of 27 votes cast by the Pennsylvania delegation were against this bill. The administration, with all the power and influence at its command, sought to defeat it. It accomplished its purpose.

With tariff beneficiaries it is all right when legislation raises prices to the consuming public of manufactured articles and all wrong when it raises prices of agricultural commodities. I have no quarrel with big business because it is big so long as it is fair and honest; but when it demands that for itself which it is unwilling to give to the farming interests of the country, then I submit it shows an indefensible selfish spirit which can not be justified, and I take issue with it.

The administration, while fighting the demands of the American farmer, with eyes focused on Wall Street and peoples across the sea, sponsored a bill to approve an agreement entered into by the Secretary of the Treasury, wherein the indebtedness of the Italian Government to this country was extended for a period of 62 years, with an average rate of interest of four-tenths of 1 per cent. Had interest been figured on a 4 1/4 per cent basis, the rate that our Government now pays on most of its outstanding bonds, and the amount that must be paid by the American taxpayer in retiring our national debt, our Government would have received \$3,413,874,500 more than is to be paid under the agreement made and approved. The settlement amounted to a cancellation of over 75 per cent of the debt and interest. If the total amount Italy is to pay us under the agreement were applied to interest alone, it would fall short \$1,006,197,000 of paying the interest that would be due, figured on a 4 1/4 per cent basis, and in addition to that a cancellation of the entire principal due us June 15, 1925, of \$2,042,000,000.

A few days later another agreement, sponsored by the Secretary of the Treasury and the present administration, wherein the debt of France to this country is to be settled at 47.2 cents on the dollar, based on interest on deferred payments at 4 1/4 per cent, came up for approval. This likewise covered a period of 62 years, with an average rate of interest at 1.64 per cent.

If interest had been figured at 4 1/4 per cent our Government would have received \$4,627,225,895.83 more than is to be paid under the agreement made. The principal of the French debt June 15, 1925, was \$4,025,000,000, so it is readily seen that the agreement cancels the entire principal and \$602,000,000 more that we should have received in interest alone. The effect of this settlement is a cancellation of 52.8 per cent of the French debt and interest to this country—more than half.

Settlement of the English debt to this country was supposed to be a liberal settlement, as interest was based on 3 per cent for the first 10 years and 3 1/2 per cent thereafter. Had the Italian settlement been made on the same basis as the English settlement, our Government would have received from Italy \$2,516,142,500 more than it will receive under the agreement approved. Had the French settlement been made on the same basis as the English settlement, our Government would have received from France \$2,861,150,895.83 more than it will receive under the agreement approved by the House. I voted against the Italian and French debt settlements.

To settle with Italy at less than 25 cents on the dollar and with France at less than 50 cents on the dollar, with the deplorable conditions existing throughout the agricultural sections of the country as they are to-day, is contrary to my sense of justice. It is commonly reported through the public press that the settlements with the Italian and French Governments cleared the way for huge loans by Wall Street interests to the Italian and French people at a high rate of interest, thereby enabling them to reap rich rewards for negotiating the loans.

In 1924, in Cleveland, the Republican Party adopted a platform in which they say in reference to foreign debts:

In fulfillment of our pledge in the national platform of 1920, we have steadfastly refused to consider the cancellation of foreign debts. * * * We stand for settlement with all debtor countries similar in character with our debt agreement with Great Britain. *

Pledges made in party platforms should be more than mere promises to be broken at will as pie crust. It is not fair to the people to get their votes on solemn declarations of principles, and then when clothed with the power and authority their votes give repudiate the solemn pledges made to secure that

authority. It savors too much of obtaining votes by false pretenses.

But I want to confine myself more directly to the farm problem.

Gentlemen, agriculture is suffering to-day largely from the effect of the economic handicap imposed on it by special legislation for other interests, and as long as conditions remain as they are we can not hope for any real agricultural improvement. If we want really to legislate for the benefit to agriculture we must seek the fundamental trouble, and upon investigation we will find, as I have already stated, that this disparity of relations between agriculture and industry is due largely to three important things that need attention—tariff and freight readjustments and better marketing facilities. The foremost and most important of all these propositions demanding attention is the present existing tariff schedules. [Applause.] Relief for agriculture has been debated loud and long in this House. It has been debated long and loud in the body at the other end of the Capitol, and up to this good hour nothing has been done. A few days ago the Secretary of the Treasury, whose voice has doubtless been heard by some, but was not heard by the public until he had addressed a letter to the chairman of the Committee on Agriculture of the House, stated his position. In that letter he says to the chairman of the Agricultural Committee that the bill that was considered by the House at that time was "economically unsound," and that it would raise the price of food commodities to the consuming public. Now, the country well knows, and we all know, the obstructive forces opposing farm relief and the sponsors for legislation that brought the American farmer largely to the place where he is to-day. [Applause.] The interests that tell us that it will raise the price of food to the consuming public advocate and foster and are the chief beneficiaries of the highest protective tariff bill that was ever foisted upon the American people, and which raises the price of all protected articles to the consuming public of America. Gentlemen, it seems to me that it is time the American people were taking stock of the situation and make some sincere effort to solve this condition that has brought about this disparity of relations between agriculture and industry.

It seems strange that the interests that oppose this legislation because they say it will raise the price of foodstuffs to the consuming public at the same time demand and have legislation which operates to that end in the commodities they produce. Tariff beneficiaries are empowered to levy a tribute on the consuming public amounting to from two to four billion dollars a year. Under the Esch-Cummins law the Interstate Commerce Commission is delegated the authority to levy tribute on the shippers of the country to enable the railroads to earn 5½ per cent net and one-half per cent additional for improvements; and should they earn in excess of 6 per cent net, one-half of such excess earnings may be taken as tribute from the shippers of the country and applied to the upbuilding and rehabilitation of the weak roads of the country. Such legislation is pronounced economically sound, but when the farmers come to Congress asking for relief they find the doors locked and are denied relief on the theory that to grant them the relief asked for would increase the price of foodstuffs and their requests are economically unsound. We hear a great deal of talk nowadays about the American protective system. Yes; we have an American protective system, but it seems indeed strange that the American protective system can only be made applicable to some favored interests and not be made applicable to all interests. Of course the reason is clear. When special privilege is extended to all alike it ceases to be special privilege, and the favored ones find themselves without an advantage—the very thing they do not want. Gentlemen, the trouble is fundamental. We may talk about legislating in the interest of the farmer; we may apply antidotes for the relief of the farmer; but just so long as we permit the disturbing cause to remain just that long will the agricultural interests be coming out at the little end of the horn. [Applause.]

Congress at the last session directed the Interstate Commerce Commission to make a careful study and to devise some plan whereby a reduction in freight rates might be made to the shippers of agricultural commodities; nothing has been accomplished along that line. There came from the White House on yesterday advice to the other end of the Capitol that to relieve agriculture a law should be enacted whereby the cooperatives of this country could borrow from the Government money to carry on their business. Gentlemen, let me say this to you again: It is not credit that the farmers of the country are requesting. So far as the cooperative associations are concerned, they can borrow money so long as they have the credit, and if they have not the credit the Government will not loan to

them anyway. We might apply antidotes of that kind, and antidote after antidote; and yet, unless we strike at the fundamental disturbances, we will find that agriculture will continue to remain in its unfortunate plight. What the farmers are demanding, and what they are entitled to, is equality for agriculture.

Let me tell you this, gentlemen: It is a very, very short-sighted policy indeed that says to the American people, "We will permit some men to prosper at the expense of others; we will permit some interests to prosper at the expense of the others."

The administration and the Congress owe it to the agricultural interests of the country to give it the promised relief. Our duty has not been performed until that has been done. I am unwilling that Congress should adjourn until the promises made to the farmers of the country—that agriculture would be placed on an economic equality with industry and commerce—shall have been fulfilled, and cast my vote against adjournment. We owe it to agriculture, to the country, and to ourselves to do simple justice to the people in the great agricultural sections of the country. It means in the end a well-balanced national life, a lasting, permanent, self-sustaining national life, in which peace, happiness, contentment, and prosperity will be the common lot of all. [Applause.]

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

Mr. MADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. TINCHER].

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

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, the gentleman from Illinois [Mr. ARNOLD], who just preceded me, made some statements concerning agriculture that I want to answer. To my mind there is no question but there is an agricultural problem, and I have said that on the floor of the House a number of times; but to say that since 1921, the time when agriculture was at its lowest ebb, the party in power, the Congress of the United States, regardless of party, has done nothing for agriculture, can only be answered successfully by figures. If the picture drawn by the gentleman from Illinois, indicating as he would have it appear that that spread between the farmer and industry was gradually growing wider, that it was being extended, then his argument would be sound. To my amazement and surprise, throughout the debates on the farm-relief measures which have been debated in this House and over the radio recently, I have heard the value of the farmer's dollar fixed all the way from 61 cents prior to the war down to 40 cents. The farmer is having enough trouble without having any false figures shoved in his face every five minutes. The truth is that the gap between the farmer and industry is gradually being closed, so that to-day, compared with the figures of 1921, the farmer's dollar has a purchasing power of 94 cents as against sixty-odd cents; so that to-day the nonagricultural dollar, instead of being worth \$1.20, is worth \$1.02; so that to-day the spread is less than it has been since the depression came.

I say in all fairness it is time that the American farmer have the figures instead of just loose statements. Oh, you say, "The Fordney-McCumber tariff law was a law in favor of everybody else than the farmer." I made the assertion on this floor a few weeks ago that the price of nonagricultural products had been reduced since the enactment of that law and that the price of agricultural products had been increased. I was laughed at by some of my friends, who said, "If that is true, it would be all right." I invite to your attention to what to my mind is the clearest and most authentic and concrete and accurate analysis of that situation which was ever placed in the CONGRESSIONAL RECORD, the speech made by the distinguished gentleman now in the chair [Mr. HAWLEY], proving every assertion that we made. I tell you, folks, it is time we quit quarreling now. We have all had our fling. We have all had our little remedies to propose, and have talked of them and advocated them.

Let me give you an illustration. You say to me, "I am a farmer." I say to you, "Plant this." You say, "No; I will not plant that; that is as bad as cockleburrs." I say to you, "If you do not plant that, you are not a farmer's friend." You tell me to go to thunder.

Now, that has been going on for months. Now, some people are so narrow that they say, "We will go home and do nothing until 1928 for the farmer, because we could not have what we wanted." Seven million majority of the American people intrusted to Calvin Coolidge the responsibility of being Chief Executive of this Nation for four years, regardless of whether you believe in him or not. He says this morning boldly, "You give me this law. Mr. Peek, Mr. Murphy, Mr. Hirth, of Mis-

souri, your law has failed to pass. I am for farm-relief legislation. Give me this law." And the Secretary of Agriculture said to our committee, "I will be here when you come back in two years. If it does not work, then repeal it." I say it will work. I say that the American Congress ought to give them the relief asked for.

Some measures are defeated. Some are not. There is a farm problem. No man who appeared before the Committee on Agriculture went as far as the distinguished gentleman who has just sat down [Mr. ARNOLD]. He said the loan to the cooperatives will not help. Every witness that testified before the Committee on Agriculture said that to permit the cooperatives to take the surplus off the market would help. That was not the quarrel. They said it would not go far enough. The two Houses of Congress, a majority of both parties in Congress, have said, "We will not go on that other trail. We will not travel it."

Now, men, the farmer has some rights. We may differ and we may be enthusiastic about a pet scheme. But we have no moral, no legal, and no representative right to deny the American farmer relief simply because we are afraid some one will get some advantage out of it.

In my opinion, the remedy indorsed by the Secretary of Agriculture is the thing that will cure the proposition. It is a thing which Chester Gray, representing the Farm Bureau Federation, said was the best orderly marketing bill he ever saw. It is a proposition which no farm organization denounced or criticized, except to say it did not go far enough. Just because some men sent here or who came here say, "We will have our plan or nothing," is no reason why this Congress should adjourn without keeping the pledge made to the American farmer as contained in both political platforms.

We did not promise to tax him; we promised no such thing as is contained in certain measures, but we did promise legislation calculated to take care of the surplus. The men in charge of administering the executive branch of this Government for agriculture say we have that measure; the President has sent word that that measure ought to pass, and before any man can legitimately criticize the Chief Executive of this Nation for being against the farmer he should at least give him a chance to administer the law which he says will remedy the evils that now exist as to the American farmer.

Mr. DENISON. Will the gentleman yield?

Mr. TINCER. Yes.

Mr. DENISON. Does not my friend from Kansas believe that if we should refuse to adjourn and should give that bill or a similar bill serious consideration we could pass it?

Mr. TINCER. Yes; and I think other bodies ought to refuse to lay things aside; they ought to pass them. I think we ought to be fair with the farmer as well as with ourselves. We may disagree. My goodness, friends, there is nothing unusual about that. That has been the success of our country, in that we have disagreed, fought, and scrapped, and in that way we have been able to keep down the things that were bad and eventually get the things which were good.

But there is a farm problem, and it ought to be solved. We have tried one thing, and it could not get the votes. It was denounced by both parties, and it was voted down by a majority of both parties, and for two or three men—who do not have the votes, or, anyway, the sanction of their people to represent them here—to get in the gallery and be pointed out as the men who say they will have no farm legislation unless they can have what they want, men who do not farm, is all wrong, and I hope the American Congress is not ready for that kind of dictation. [Applause.]

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

Mr. MADDEN. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. GORMAN].

Mr. GORMAN. Mr. Chairman, during the next few minutes I am going to speak upon the subject of prohibition. In doing so, I am not going to quote the opinions or findings or statistics of other persons who have given the subject of prohibition their serious thought and earnest investigation.

These remarks I am going to give expression to are the result of my own examinations into the effects of the eighteenth Federal amendment and its enforcing machinery, the Volstead Act.

Before the eighteenth Federal amendment became a part of the Constitution of the United States, for a period of seven years I was a letter carrier in the city of Chicago. The routes I traveled were in those sections of the big city commonly called "workingmen's neighborhoods." The old open saloon was as common as the neighborhood meat market or grocery store. I saw plenty of drinking in the saloons of those days. It was confined to the men almost entirely, and to a limited extent it existed among youths who were arriving or had

lately arrived at manhood. I never saw a woman drink in those saloons, with the exception of the saloon keeper's wife, who, in tending bar, would join with the customers in a round, although some of the neighboring women would drop in to get a can or pitcher of beer to be drunk at home. As to young women, I never saw one of them enter a saloon to get a drink.

The people were simple in their ways and tastes, law-abiding, and industrious, with here and there an occasional loafer who refused to work and idled his time in drinking.

The husband and father would send for his can of beer when he arrived at home after a hard day's work at the factory or mill and on Saturday afternoon and on holidays he would join his neighbors in the nearby saloon, generally referred to as the workingmen's club. No great number of the people there indulged in whisky. Beer or "pivo," as it was otherwise called, was the common drink of the people. In the saloon there was hilarity produced by the effect of the drinking, but it was a happy, contented hilarity, with now and then a brawl. Of course, there were cases of drunkenness and neglected homes, of wives who felt the brutal blows of drunken husbands and little children who suffered the pangs of hunger and the need of clothes. But those cases were the rare exceptions, so rare, indeed, as to make them appear distressful out of entire proportion to their actual distress and numerous out of all ratio to their real numbers. They were the extreme cases which caused the sympathy of the human heart to go out to them and to demand for their redress the stamping out of the saloon.

Taken by and large, the people, poor by birth and rearing, attached to employments which invited only the common and uneducated classes, lived in a circle of constant labor and even of drudgery, to which the only ingredient to add happiness and contentment came from quaffing wholesome and stimulating beer at the close of each day's work.

They were, nevertheless, an ambitious people, their ambition being best revealed by their burning desire to give their numerous children an education. The near-by public school, though large and spacious, was always overcrowded, and there were no students in attendance there except the workingmen's children.

I became familiarly acquainted with all the people on my route. I knew the fathers and the mothers, the children already weaned from school and at work, the children still attending classes, and those who were yet too young for books. I could call them by their first as well as their last names, and the uniform of the letter carrier was ever a favorite guest in their homes. I could point out the people who drank beer, those who drank whisky, and those who did not drink at all. I could tell you those who drank to excess and spent their earnings in the saloon, the while their homes were neglected and their families suffered, and those, saving and frugal, who put aside a little for the rainy day or for the house that was going to be built.

Within recent weeks I spent several days in a revisit to the scene of my former work. In those poor workingmen's neighborhoods where I served as a letter carrier I made many inquiries about the people who resided there when I delivered their mail. A little above eight years have elapsed since I was their letter carrier, which naturally resulted in many changes caused by marriage, death, and removals. Notwithstanding, there were scores of the old familiar faces to greet me and to give an account of the changes time had wrought among them and their neighbors. I made thorough inquiries about them, and I will state what I learned from those good people and much of what I was able to see for myself.

The open saloons had mostly disappeared, but many of the old ones with the same proprietors and some in changed hands were operating as soft-drink places, coffee shops, lunch counters, "speak-easies," soda-water fountains, and cigar stores, with plenty of strong drinks to be purchased by those who were known to the sellers. A crop of bootleggers, young and old, male and female, had sprung up to take care of the wants of those who were not sufficiently supplied by home brew or by the saloons in disguise. The moderately drinking people of my days—yea, the temperance people—are transformed into heavy drinkers. The beer drinkers of then now drink poisonous liquids of all sorts labeled whisky, gin, brandy, and what not. In this orderly community as I knew it there is now much crime. Theft, especially of automobiles, is common, and just a few weeks before I revisited there an atrocious tragedy was committed. A moonshine-crazed idiot killed his sleeping wife and son. An "idiot" the neighbors called him, but plain, simple, hard-working Joe, I knew him to be, made mad by poisonous moonshine when Volstead took away his beer.

Young boys and girls in the days I traveled there, now grown into early manhood and womanhood, instead of drinking beer in their own homes, as was the custom of their parents, now drink poison at house parties, dances, cabarets, and else-

where. There is more drunkenness among these young people to-day than there was among the adults of eight years ago when I worked in their midst. The girls who do not drink strong liquors are rare exceptions, and they all whiff that eternal companion of drink, the cigarette. As to the young men, there seem to be no exceptions. They all drink, and they get stupidly drunk from the rotten stuff they drink. Other vices have come among these plain folks as a result of strong drinking. Indulgence in intoxicating liquors at their dances, parties, and other gatherings has produced immoral and suggestive dancing among them, and a combination of both drinking and dancing has brought on an aggravated immorality.

The old lady standing in front of the house or sitting on the front steps, as she did when I delivered her mail, but older now and deeper furrows tracing her honest face, is still there to answer the mailman's whistle. With a shrug of the shoulder and tears gathering in her eyes, she slowly answers the question of "where is that bright eyed, pretty little girl of yester-year?" as though she were mourning over the casket of her kin. The crude response is that "She has gone wrong." Following up this fragment of sad information, after repeated questioning, the old lady says it was booze and gin, the boy with the flask on his hip and the little girl who dared to take a drink. It was not the story of one little girl or two, but the story of many little girls. These youths have answered Volstead's verboten with a dare, then an adventure, and now remorse.

How much longer, oh, how much longer will the slaughter of the innocents go on to satisfy the stubborn Volsteadian pride of those who are so blind that they will not see?

My friends, these simple people are no better off since prohibition. They are worse off. For the most part, they were a temperate people before prohibition. Now they are a community of drinkers. They make their own home-brew and they distill their own booze—strong, vile, and unaged concoctions that are destructive to the membranes of the human body. They drink it now with glee and noise because the law says they can not drink it. They feel smart and happy in evading the law, and with noise, laughter, shouting, and quarreling they advertise to the world their violations of the law. Intoxicating liquor is the forbidden apple in the garden of paradise and they are going to possess it at any cost.

I asked scores of these plain people what they thought about prohibition, whether or not it had improved their conditions, if they were better off physically and financially than they were in the old days before prohibition, and they all replied, without exception, that their conditions now are worse than they were in the days when they were permitted by law to have their good, wholesome beer. They say that prohibition does not prohibit—it merely has increased the price and decreased the quality of what they drink. It has made it difficult and almost impossible to get good, wholesome beer, so now they drink the vile stuff labeled whisky, gin, brandy, and wine. There was some drunkenness among them before prohibition, but nowadays they do not get drunk—they get drugged from the poison they take into their system under the guise of drink.

Mr. Chairman, my investigations have not been limited to the scenes I have already described.

I have visited numerous dance halls, cabarets, and high-class hotels where receptions are held. I have gone to many house parties and other social gatherings. I have visited the good places only; that is, those places which enjoy a good reputation among the public. I have visited them in Washington, in Chicago, in New York, in San Francisco, and in scores of smaller cities. It is the same sordid story, differing only in degree, in detail, and in scene. The young man carries it in the flask or in a wrapped-up bottle. He parks it under the table or in some other convenient place when he arrives. He sends for a bottle of ginger ale—dry ginger ale preferred—or White Rock Water if his brand is labeled "Scotch," pours out a highball for his lady and a highball for himself. This operation he repeats between dances and while they eat until his visible supply of liquor is gone. Then, in a maudlin condition, he and the pretty young girl start for home, embraced in vulgar love as they were while dancing on the floor. What happens next the police will tell, or the obituary notices, or the sequel may be buried forever in heaving bosoms, or the protecting angel hovering over them may have sheltered them against the sins of the flesh and the accidents of the world.

Yea, prohibition has glorified drinking. It has passed its curse on to the children without lifting its mantel off the shoulders of their elders. It has made bums out of good, respectable people and millionaires out of bums. It has bridged the chasm between the otherwise law-abiding and the lawbreakers. They

meet on a common ground; the one to purchase forbidden liquor and the other to sell it.

The youth who does not bring liquor to the dance or party is looked down upon and the girl who does not drink it is shunned. The one must produce it for the next affair or select a different lady for his partner and the other must drink it or stay at home. Prior to prohibition I never saw a young girl take a drink at a dance or a party or in any public place, nor a young man bring it there. The odor of liquor on their breaths would have made them instant outcasts of society. To-day they are hero and heroine of the drink. They openly boast of their tipsy condition of the night before. They have coined a new language to express their transgressions of Volstead. They refer to the stuff which they drink as having a high kick or conversation in it and call it by a variety of names. They refer to their maudlin condition as being "tight," "ginned up," "corned," "pickled," and "scotched."

Last summer my wife, a friend, and I took a long automobile trip from Chicago to the western coast. We were gone two months and traveled 9,000 miles. We went as far south as Mexico and as far north as Vancouver. On account of my previous employment in the Postal Service we were cordially received by the post-office clerks and letter carriers everywhere we stopped. I made inquiries from those employees, especially from the letter carriers, about prohibition, how it is being accepted by the people and the extent to which it is being violated. The best-informed men on this subject, in my opinion, are the letter carriers. They go to all the homes and places of business in the performance of their work. They know the real conditions of life better than any other class of people. If there are intoxicating drinks being made, they know who are making them. If liquor is being sold, they know where it can be bought. From them I heard many frightful tales of the evil and suffering prohibition has caused. They pointed to many communities where the saloon had been abolished and drinking of hard liquors had almost entirely disappeared long before the Volstead Act. Since prohibition hard liquor has made its reappearance and is being consumed in large quantities. They speak about the quality as being vile and the drinkers being drugged from it. They told the same story about the prevalence of drink among young people, both boys and girls, its presence at dances and parties, and the usual woes that follow from its use. There can be no doubt about it that prohibition, as it is, is the curse of the United States. It is slowly but surely destroying the moral and physical fiber of the future fathers and mothers of America. It is breaking down respect for all law by open and notorious violation of this one law. It is making police courts out of the court rooms where once dignity, decorum, and a high standard of ethics prevailed, the Federal courts of the United States.

As a social experiment, prohibition is a failure. It was foredoomed to failure because the law did not grow out of the custom of the people. A people can not be legislated good. They must be taught good in the impressionistic years of early childhood, at the mother's knee, and then, through the various stages of life, as they progress.

No one will deny that temperance is a virtue. No one will deny that temperance is for the well-being of the human race. It is temperance we should aim for, and in the interests of real temperance and to protect the health and morals of our children the Volstead Act must be changed. In its place a law should be enacted which will encourage temperance. Such a law as will permit the manufacture and sale, under well-regulated conditions, of 2.75 beer, would be the best contribution the United States could make to the cause of real temperance. This is the scientific standard adopted by Denmark and approved by its various temperance societies. It is the standard of beer consumed by the people of Denmark with no drunkenness, and it has decreased the appetite for strong liquors. It was the standard adopted by the United States during the World War for the purpose of preserving food-stuffs. It was accepted by the people, and it did not result in increased consumption of hard liquor.

If the people know that they can obtain a good, wholesome beer, the thrill of breaking the law will have disappeared. Two and seventy-five hundredths beer has been pronounced to be good and wholesome and of sufficient alcoholic content to satisfy the thirst by such well-known authorities as Max Henius, of the Wahl-Henius Institute of Consulting Chemists, and Adolph Dirian, of the Monarch Beverage Co., one of the foremost brewmasters of America, both of them business men of the city of Chicago. They say it is palatable and will be satisfying to the people as a good brand of wholesome beer. To adopt this standard of 2.75 beer is worthy of a trial. No one can authoritatively say that it will fail until it is given a

trial. Some such modification as this is necessary to change the mass thinking on the subject of prohibition. It will have a tendency to stop the agitation and unrest among the people. It will divert their minds from the subject of prohibition and induce them to indulge in thinking about other things in life. It will decrease the drinking of poison which now circulates under the names of whisky and gin. It will decrease violations of the law. It will restore respect for the law. It will take the subject of prohibition out of politics where it has been thrust by the Volstead Act with such hurtful results as to determine the election of judges on the bench, lawmakers, law enforcers, and administrative officers.

It is within the power of the Congress to define 2.75 beer as a scientific standard and within the confines of temperance.

Let us all face the facts and pull together. Let us put aside personal prejudices. Let the dry extremists and the wet extremists meet on this common ground. Legislation is ever the result of compromise and adjustment. Let both sides compromise a little and adjust the standard of prohibition so that the people of the United States who desire it may have 2.75 beer in the place of the poison they are now consuming. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 25 minutes to the gentleman from New York [Mr. BOYLAN.]

Mr. BOYLAN. Mr. Chairman and gentlemen of the committee, on March 30, 1926, the Committee on Foreign Affairs held a hearing, and at that hearing an address was made by Hon. Alfred J. Talley, of New York, which I will read:

STATEMENT OF HON. ALFRED J. TALLEY, FORMERLY JUDGE OF THE COURT OF GENERAL SESSIONS OF NEW YORK CITY, 165 BROADWAY, NEW YORK

Mr. TALLEY. Judge Morgan J. O'Brien and myself have been delegated by the Catholic clubs, representing the Catholic Club of the City of New York, to appear here and express the sentiment of the membership of the club. The Catholic Club is made up of leading business and professional men of the city of New York, membership 700, and represents, I am able enough to say, Catholic sentiment of the city of New York. In what we have to say in connection with this matter now engaging your attention we are representing the sentiment of the Catholic laity for whom only we speak throughout the city of New York.

The chairman properly asked for facts with regard to Mexico. I am summarizing rapidly what we understand to be the facts which justify the citizens of this country to appear before this committee upon this resolution.

The present constitution of 1917 of Mexico was never submitted for adoption to the Mexican people. It was imposed by military convention controlled by Carranza. Before the United States gave recognition it asked Mexico if it would grant religious toleration. Mexico answered that it would and abide by the constitution of 1857. Carranza arbitrarily suspended that constitution and imposed the constitution of 1917, which destroys all religious toleration. Under it, and I am summarizing rapidly now, the church may not hold property; priests nor ministers, even natives, may not vote nor teach nor enter a primary school; no trial by jury is given to priests or ministers of any religion. No minister or priest may criticize the laws of the country. Mexican charitable institutions, hospitals, orphanages, seminaries are all under control of the State. The State legislature may state the number of priests allowed to function within the State, and I am informed that in one of the States with a population of 60,000 it was ordained within the last few weeks that only 12 ministers of religion should be permitted to minister to the spiritual needs of those people. One of the gentlemen asked if all religion was not stamped out. I do not know of any more effective way to stamp out all religion than by that precise method in conjunction with these other things that I am enumerating.

Priests and bishops and ministers never are allowed to meet together. The right of assembly is denied. Foreign-born clergymen have been summarily driven out—202 already; also foreign-born nuns have been driven out. Native religions are deprived of home and schools. In addition, schools generally have been made atheistic.

On the question of recognition by this Government of another government there is a very apt letter published only Sunday in one of the New York papers. I am about to read from a letter of former Secretary Root, in answer to a communication addressed to him by Ivy Lee, seeking to awaken interest in the question of the recognition by this country of Russia, and one of the things that he complains of in this article was the Chamber of Commerce of New York.

The article referred to is as follows:

I think the action of the chamber of commerce was right. The recognition of one government by another is not a mere courtesy. It is an act having a definite and specific meaning, and it involves an acceptance by the recognizing government of the principles, purposes, and avowed intentions of the recognized government as being in conformity with the rules which govern the conduct of civilized nations toward each other. For the United States to recognize Russia would

be to publicly acknowledge that the avowed purpose of the present Russian Government to overthrow by force our system of government is consistent with international friendship. Of course, that would be a lie, and it is always unwise for a nation to govern its action by anything but the truth, as it understands the truth.

The immediate effect of such a course would be to give great encouragement and strength to the communist doctrines professed by the Russian Government and to make it seem to all the world that the Government of the United States regards as negligible the differences between the principles underlying American institutions and the theories which support the dictatorship of the proletariat. Such a course by the Government of the United States would not only give respectability and credit to those who are carrying on the communistic propaganda in the United States, but it would tend to the demoralization of public opinion throughout the United States among the people, who would see that our Government makes no difference between the two views of liberty and order.

Now, gentlemen this Government of ours has as its fundamental tenet that the Congress shall make no law respecting the establishment of religion or prohibit the free exercise thereof, nor prohibit free speech, the right of the press, nor the right of the people to peaceably assemble and petition the Government for redress of their grievances.

Mr. FISH. You are looking for precedents? You have asked us to do something, to withdraw our recognition?

Mr. TALLEY. Yes.

Mr. FISH. It will be very difficult, from my point of view, for us to take any such step without a precedent. You have read this letter of Mr. Root. If I remember aright, most of the Catholic countries of Europe—Italy, Austria, and others—all recognize to-day Bolshevik Russia. We want some precedent for this action.

Mr. COLE. You mentioned this denial of the right to trial by jury as one of the reasons for breaking off relations. Is it not true that the right of trial by jury is denied in Italy at the present time?

Mr. TALLEY. I was aware of that fact. I was assistant district attorney of New York County. I have tried an escaped Italian who committed a crime, and we had him tried in Italy, by a jury in Italy.

Mr. VAILE. Trial by jury is largely an Anglo-Saxon institution.

Mr. TALLEY. The only reason I read this letter is because by analogy it is quite appropriate to reason that freedom of conscience and the free exercise of religious belief must be granted to citizens. We can not, to use the language of Secretary Root, "give respectability and credit" to other people's institutions that do not require those things as of fundamental importance, and they should understand that no nation may deny those rights to its own citizens, necessary to American citizens, and at the same time be recognized by this Government.

The question of the resolution that Senator Boylan has offered to meet this situation is one that requires serious thought, because of the possible lack of precedent, but let me say this to you, if I may be permitted to take the time. I have no precedents immediately before me on the action of Congress in the matter of denial of religious freedom in any country, but State papers show that this country has been alive at various periods in its career on denial of religious liberty by other nations of the world.

Let me submit the following which in that light may be regarded as somewhat precedent:

Mr. Seward, Secretary of State, in a letter to the Right Rev. Horatio Potter, on November 23, 1866, with reference to religious freedom in Japan, stated:

"You yourselves are no doubt aware that our religion was in a flourishing state there about two centuries ago; that large numbers of Japanese had become converted to it; that consequently the priests of other religions became alarmed at its progress, when, owing to the imprudence or as some suppose the arrogance of the Christian divines, the Japanese rulers, lay and clerical, caused them and their converts to be attacked and massacred, whereby Christianity was at once as it were extirpated. The same penal laws against it to which you refer were then enacted and remain in force to this day. * * *"

This letter indicates that Mr. Seward was offering the good offices of the United States to Japan in order to induce it to lessen the hardships inflicted on the Christian religion in that country, and that Great Britain was exercising a similar function.

On December 8, 1876, Mr. Fish, Secretary of State, in a letter to Mr. Adeé, chargé at Madrid, stated:

"Upon the 23d of November, Sir Edward Thornton called upon me and stated that he was instructed by Lord Derby to read to me, and if I desired it to leave with me a copy of an instruction bearing date October 28, which had been addressed to Mr. Layard, Her Majesty's minister at Madrid, touching religious toleration in Spain, and that Lord Derby expressed the hope that the Government of the United States might instruct its representative at Madrid to make representations in a similar sense to the Government of the King. I transmit herewith a copy of this instruction, which was given me by Sir Edward Thornton."

It will be observed that the English Government was taking up directly with Madrid this question of religious toleration in Spain.

In his letter Mr. Fish refers to article 11 of the constitution of Spain with reference to the rights of Protestants. The letter then continues:

"Mr. Layard is instructed to speak in this sense to the Spanish minister of foreign affairs and to lose no opportunity for impressing upon the Spanish Government the deep interest with which the question of religious liberty in Spain is regarded by Her Majesty's Government and by all classes of Her Majesty's subjects."

Then Mr. Fish, on his own account, states:

"The question had been presented to this Government before Sir Edward's interview with me, and I have appreciated the delicacy of making representations to a foreign state concerning religious freedom within its own borders, as Lord Derby appears to have done. While, therefore, it is not deemed advisable to instruct you to make any remonstrances, or to prefer any formal or official application concerning the steps that have lately been taken in Spain on the question, you are instructed to act in concert with Mr. Layard. Her Majesty's minister, in the sense in which he is instructed by Lord Derby, and to take occasion to speak in a similar sense to the minister of state, impressing upon him the deep interest which the question of religious liberty in Spain excites in the United States, and the strong hope that the steps lately taken by the Spanish Government with reference to religious freedom and toleration may not be followed by others of a more retrograde character, and that the rights which the minister of state admits are secured to Protestants by the eleventh article of the constitution may be entirely respected, and that the United States rely upon the Spanish Government to promptly and firmly suppress any attempt from any quarter to infringe upon these rights."

Mr. Fish's letter is very illuminating and very helpful on this question as to the stand which the United States then thought was proper and appropriate to take.

Mr. O'CONNELL. What is the date of Secretary Fish's letter.

Mr. TALLEY. December 8, 1876. Mr. Adeé was then at Madrid.

There is a letter written by Mr. Frelinghuysen, Secretary of State, to Mr. Astor, minister to Italy, March 4, 5, and 29, 1884, in relation to the threatened sale of the American College at Rome under the decision as to the real estate of the propaganda and the prompt and friendly action of the Italian Government in complying with this request, but I have not that letter before me.

I also find that Mr. Hay, Secretary of State, on February 28, 1900, took up with Portugal the question of rights to religious freedom under its constitution.

Mr. Adeé, Acting Secretary of State, on July 29, 1895, in a letter to Mr. Eustis, our ambassador to France, in reference to adverse legislation concerning the so-called Mormon Church of Latter Day Saints having been forbidden to hold religious services without special license from the President of the Republic of France, stated:

"So long as polygamy was maintained as a doctrine and practiced as a fact by the Mormon Society this Government refused to intervene in any way to protect them against hostile regulations or legislation of countries where they might be located. But it is asserted that they have now entirely abandoned polygamy. They profess to inculcate doctrines of the highest morality and promotive of good citizenship and loyalty to established government. The doctrine of entire freedom of religious belief and practice, prevailing both in the United States and in France, should, in the opinion of the department, entitle these people to the same rights as any other religious society, provided they have actually renounced their polygamous tenets and do in fact practice and promote principles of morality and virtue.

"Assuming this to be true of them, it is hoped that the license desired by them may be granted by the French authorities."

This letter indicates what our department has done in the past to alleviate the hardships inflicted on the religious lives of those residing in foreign countries.

Mr. Day, Secretary of State, in a letter to the Reverend Mr. Strong, dated June 3, 1898, being with reference to the laws and rules of South American Republics, first, with reference to religious liberty of missionaries; second, religious liberty for native Christians who dissent from the Roman Catholic faith; and, third, the fullest civil liberty for foreigners and native-born Protestants, especially by the legalization of marriages performed by others than the Roman Catholic clergy, stated:

"The standing instructions of the department to the representatives in that quarter, supplemented by special instructions from time to time as cases arise, have been directed to securing for American citizens the same right to pursue their vocation of preaching and teaching, if such practices are lawful in the country of their residence as any other American professional men or merchants have to pursue their calling. On the whole, the success of the efforts of our diplomatic and consular officers in this direction has been gratifying." * * *

Mr. Hay, Secretary of State on September 1, 1899, in a letter to Mr. Bridgman, minister to Bolivia, stated:

"You are requested to examine and report upon the present condition of the legislation of Bolivia in regard to liberty of conscience and teaching enjoyed by foreigners and as respects the status of aliens contracting marriage according to other rites and codes than those of the established church.

"If in the course of your examination you shall deem the ascertained facts to warrant you in so doing, you are authorized to make such discreet representations in the proper quarters, by way of friendly but earnest suggestion, as may conduce to the desired end."

There is some further correspondence between the State Department and other parties relative to this matter that indicates the mission was successful, for in a letter addressed to President McKinley by the Rev. John Lee, chairman of a committee appointed by the Chicago Methodist ministers' meeting to make efforts to bring about larger religious liberty in Bolivia, Ecuador, and Peru, the Reverend Mr. Lee states:

"While the committee rejoices that Peru has already adopted 'a marriage law more consonant with the general practice of modern nations,' it would be more than pleased if the kindly offices of the United States Government would be exercised in securing in Bolivia, and especially in Ecuador, what has already been secured in Peru."

Hannis Taylor, in his work on International Public Law, well states the moral rule in section 429 and section 430.

Mr. FISH. They cover situations somewhat similar to this to-day. It is very valuable to have all these letters in the record.

Mr. TALLEY. There are many other instances.

Mr. BOYLAN. Judge Morgan J. O'Brien is the next witness.

STATEMENT OF HON. MORGAN J. O'BRIEN, NEW YORK CITY

Mr. O'BRIEN. I have listened to Mr. Talley's statement. He is chairman of our committee, and he has presented it so fully that I will not detain the committee further. I am very much obliged for giving me this opportunity to say that I would merely repeat what Mr. Talley has very much better said.

STATEMENT OF REPRESENTATIVE JOHN J. BOYLAN

Mr. BOYLAN. Mr. Chairman and gentlemen of the committee, to-day the Washington Post carried a dispatch from the city of New York stating that exiled priests from Mexico were herded among pigs on a ship. The refugees who arrived at the port of New York yesterday stated that they were taken from their homes without a chance to take any of their possessions with them and were herded on shipboard and deported from the country.

Mr. Chairman and gentlemen, the time for temporizing with the present Mexican Government has passed. When an outlaw points a pistol at your head you do not argue with him. You do one of two things; you submit and hand over your valuables or you try to take his gun from him. Mexico, not so much by constantly recurring outrages against American citizens and seizures of American property, as by adoption of a constitution at variance with international honor and the deepest instincts of civilization, has grievously offended against all those who subscribe to our own constitutional guaranty of freedom for the pursuit of life, liberty, and happiness. Further argument with Mexico, I am convinced, will prove fruitless; it is time to act, and in a way that will assure Mexico of our determination to protect American rights and citizens.

We can no more negotiate with Mexico or continue friendly relations with that country than we could with Russia. The two nations are on a par as far as their attitude toward the fundamental rights of humanity are concerned. It is time our official attitude toward Mexico became that which has characterized our relations with the soviet. For eight years we have refused to recognize the Trotzki-Lenin régime because we look on Russia as an international outlaw, in fact and law; yet during much of that same period we have maintained diplomatic relations with Mexico, although its constitution of 1917 places it in the same category with Russia. It needs only a cursory analysis of the Mexican constitution to reveal the similarity, particularly as regards the two nations' attitude toward religion, freedom, property, and education. We have heard much of article 27, which confiscates American property held by our capitalists, but there are other articles of that constitution little known in America but equally iniquitous and much more offensive to the deepest instincts of humanity. I propose to discuss a few of them before I finish, and believe you will agree with me that the United States should take the lead in marking Mexico as the soviet of the Western Hemisphere.

I do not mean to attack or criticize the Mexican people, for they are merely pawns in the hands of selfish politicians. Furthermore, it is perhaps natural that a people suffering every few years from revolutions inspired by foreign interests should, when the chance comes, set up an intensely nationalistic instrument as the law of the land. I do not quarrel with them on that score. But they can not expect other nations to hold out the hand of friendship in the face of a constitution which disregards the international code generally prevailing among the family of nations. If Mexico prefers a bolshevistic constitution and radical government to the fellowship of the other nations of the world, that is Mexico's affair. But I do maintain that the United States should make clear to the Mexican Government that we can no longer continue diplomatic relations on any such basis as that necessitated by the limitations of the Mexican constitution of 1917.

As a matter of fact, our recognition of the Obregon government in 1917 was a mistake; all our troubles with Mexico have proceeded out

of that fact. Let us admit it; better still, let us look the thing squarely in the face, admit our error and correct it. Until Mexico revises her present constitution in certain vital respects, establishes a government of law and order and ceases to offend against everyday considerations of decency, the United States should withdraw the recognition extended prematurely in 1917. In my opinion this is the only course open to us, not only for our own honor and protection but also for the best interests of Mexico. Such an act on our part may bring the present insolent government to its senses and cause revision of a document which, as it stands now, is a challenge to American traditions and institutions. And I say this with the greatest consideration for the struggling people of Mexico, who are more to be pitied than punished. It is the self-seeking politicians who would suffer, rightfully so, if our moral influence were withdrawn.

You have heard a great to-do concerning article 27 and its bearing upon American owners of land and mineral rights, but you have not heard of other provisions in the 1917 constitution which are even more iniquitous than article 27, bad as that is and significant of the present attitude of the Mexican Government. It must be remembered that the constitution of 1917 was not framed by the Mexican people, but by a small group of self-appointed leaders. It is time the American people understood the real purport of the instrument under which the Mexican people live and the Mexican Government conducts relations with foreign nations, including the United States.

Under that document there is no such thing as religious liberty, untrammelled culture, education, or freedom of worship in Mexico. All these things, like the mineral subsoils, are the sole possession of the state. A man can not worship God as he pleases, think as he wishes, or live his own life. The constitution does not permit it. Exercises of religious worship, places of prayer, ministers and priests, educators and nuns, their property and their liberty, all are subject to the whim of the Government. Inhibitory regulations surround each individual in his relations with his God, whether it be the God of the Protestants, Catholics, or Jews. As in Russia, an intense spirit of nationalism inflamed by radical politicians has supplanted the Christian spirit. The church, the school, the meeting place—those three institutions upon which our own Government is founded—have been taken over by the Government and made subordinate to the State.

It is under such provisions as these that churches have been invaded, sanctuaries violated, ministers, priests, and nuns expelled, and every canon of decency flouted. Denials of this state of affairs by brazen Mexican officials are mere evasions. Despite the strictest kind of a censorship over news coming out of Mexico, the New York Times of March 2 carried the following dispatch from Mexico City:

"El Universal reports that more Catholic schools are being closed in various States of the Mexican Republic. The newspaper quotes a telegram from the State of Tepic, where the closing of a school caused a small riot. The telegram said that tranquility seems to have returned after the riotous acts of yesterday, when the officials were saved from the townsmen by federal forces.

"The townsmen objected when 12 men entered the Church of the Sacred Heart of Jesus, throwing statues into the street.

"El Universal prints a telegram from Vera Cruz, saying that the Josefino College and the Asylum of Vera Cruz and the Siervas of Maria Convent were closed. The report also said that 200 of the pupils at the asylum were orphans who receive instructions and are given a home there.

"A telegram from Cordoba says the police closed the Asylum Maria, forcing the Sisters of Charity to leave the building, and reported that 42 small orphans were left without bread or shelter."

Why, gentlemen, the present Mexican Government seems to have forgotten what to me is the most appealing of the Master's sayings:

"Suffer the little children to come unto me, and forbid them not: for of such is the kingdom of God."

I want to read a few of the provisions of the constitution of 1917 affecting the right of religious worship. First, however, in order that you may consider these in the light of our own constitutional guarantees of religious liberty, let me read what our own Constitution has to say on this point:

"Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievance."

There is the American idea of religious liberty, freedom of speech and of the press. I can give the Mexican idea merely by reading a few articles from their constitution.

Article 130 says that—

"The Federal authorities shall have power to exercise in matters of religious worship and outward ecclesiastical forms such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities."

The intervention of the State in church affairs—and is there anything more sacred than a man's religious beliefs and means of expressing them—goes so far as to prevent the formation of religious orders. Here is what article 5 says on this point:

"The law, therefore, does not permit the establishment of monastic orders, of whatever denomination, or for whatever purpose contemplated."

The very acts of worship are submitted to official scrutiny. One can not give thanks to God for his daily bread without interference, for here is what article 24 provides:

"Every religious act of worship shall be performed strictly within the places of public worship, which shall be at all times under governmental supervision."

Think of it, gentlemen. If a crimson sunset seen from a lonely hill brought an involuntary breath of adoration for the Creator of the Universe from some fervent Christian in Mexico, he would be guilty of violating this article of the constitution, for it provides that all acts of worship must be performed within bounds of a church and under government supervision.

No religious institution, irrespective of creed, has the legal capacity to acquire or own property. It all belongs to the State, which has confiscated all such property and will seize all churches in the future. Article 27 covers this question in detail. Here it is—

"ART. 27. The religious institutions known as churches, irrespective of creed, shall in no case have legal capacity to acquire, hold, or administer real property or loans made on such real property; all such real property or loans as may be at present held by the said religious institutions either on their own behalf or through third parties shall vest in the nation, and anyone shall have the right to denounce property so held. Presumptive proof shall be sufficient to declare the denunciation well founded. Places of public worship are the property of the nation, as represented by the Federal Government, which shall determine which of them may continue to be devoted to their present purposes. Episcopal residences, rectories, seminaries, orphan asylums, or collegiate establishments of religious institutions, convents, or any other buildings built or designed for the administration, propaganda, or teaching of the tenets of any religious creed shall forthwith vest, as of full right, directly in the nation, to be used exclusively for the public services of the Federation or of the States, within their respective jurisdictions. All places of public worship which shall later be erected shall be the property of the nation."

But here is the most damning provision of all. It is article 130 and outlines the status of ministers and priests:

"ART. 130. Ministers of religious creeds shall be considered as persons exercising a profession and shall be directly subject to the laws enacted on the matter.

"The State legislatures shall have the exclusive power of determining the maximum number of ministers of religious creeds, according to the needs of each locality. Only a Mexican by birth may be a minister of any religious creed in Mexico.

"No ministers of religious creeds shall either in public or private meetings, or in acts of worship or religious propaganda, criticize the fundamental laws of the country, the authorities in particular, or the Government in general; they shall have no vote nor be eligible to office, nor shall they be entitled to assemble for political purposes."

This same article 130 prohibits free instruction or freedom of the press. It says that all instruction must be secular and that—"no religious corporation or minister of any religious creed shall establish or direct schools of primary instruction."

Studies carried on in institutions devoted to the education and training of preachers of the gospel shall be given no credit in official institutions. Any infraction of this last provision bars the student from ever obtaining the professional honors he seeks.

Here are the restrictions upon the press and the right of peaceable assemblage:

"No periodical publication which either by reason of its program, its title, or merely by its general tendencies is of a religious character shall comment upon any political affairs of the nation, nor publish any information regarding the acts of the authorities of the country or of private individuals, in so far as the latter have to do with public affairs.

"Every kind of political association whose name shall bear any word or any indication relating to any religious belief is hereby strictly forbidden. No assemblies of any political character shall be held within places of public worship."

And to cap all these outrageous restrictions, which read like something out of the Dark Ages rather than a product of only a few years ago, is this:

"No trial by jury shall ever be granted for the infraction of any of the preceding provisions."

There you have the constitution of the country to the south of us, though it might well be the constitution of the soviet. It is little wonder that the Most Rev. Michael J. Curley, Archbishop of Baltimore, in a recent address had this to say concerning conditions in Mexico and our Government's studied silence in the face of such persecution of American citizens and preachers of the word of God:

"I can not imagine any conditions worse than those in Mexico for the past 10 years as far as real freedom is concerned. To us of this country religious freedom is a very sacred thing, and forms the very

corner stone of our national edifice, finding expression in the constitution of every State and in our National Constitution as well.

From the days of Carranza and Villa the Catholic Church in Mexico has been persecuted with the one purpose of destroying it altogether. Fundamental decencies held in high honor by men of every nation, whatever their religious faith may be, were outraged and violated. The indignities heaped upon Catholic sisters in Mexico by the brutalized soldiers of the men named above, were something that should bring a blush to the face of any decent man. The age-old sanctuaries of the country were desecrated; the bishops and priests were forced to fly, some of them escaping from the country disguised as street scavengers. Whilst all that was going on, there was never a word of protest, as far as I remember, from this country of ours, which, in the days of Huerta, took a very immediate and imperious interest in the affairs of Mexico amounting to a practical dictation of who might or might not be the recognized president of the nation. But not one word was ever said in any official way about the violation of fundamental human rights perpetrated at that time.

Ever since that day, the same nefarious warfare has been carried on against freedom of religion. Churches have been closed; ministers of religion have been chased from the country like criminals; Catholic schools have been banned, and the men and women, who dedicated themselves to the teaching of morality, are being driven from the land. Whilst all this is being done for the purpose, we are told, of reforming Mexico, immorality and vice have free rein even to the point of spreading their destructive effects across our own American border.

Despite all this, our Government has given full recognition to Mexico, and that country occupies an honored place in the person of its representatives in the Capital City of our Nation. In other words, we have taken Mexico to our national arms, as we have the finest nations of the earth. It seems strange to me that in spite of this recognition and international amity, we are still silent about the conduct of the nation close to us, whom we call "friend," and whom we recognize as such. I am not asking for any governmental protection, but I am interested in our own national attitude toward fundamental decencies. Perhaps it may be explained by saying that fundamental decencies are no longer such where their violation is carried out in the persecution of Catholics.

* * * * *

Our American Government is silent and that silence is interpreted as consent to the sacrilegious outrages now being perpetrated by the robber government to the south of us. That silence has been our outstanding feature of every administration during a decade of years. Some official of the State Department stated recently that this country can not afford to meddle in religious strife in other countries. There is no question of religious strife. It is a question of our giving full recognition to a government and seeming approval to its course in its diabolical persecution of those who adhere to the age-old faith of Catholicism. We have admitted Mexico and its government into our circle of international friendship. Have we no responsibility then for the conduct of the men who are basking in the sunshine of our official smiles and who at the same time are bent on destroying human rights and trampling on fundamental human decencies held in honor by all men of real character and worth?

Our experience in the past justifies our coming to the conclusion that we have little to expect from this or any other administration when it is a question of the persecution of Catholics. As I write this, 40 Sisters of the Visitation are on their way from Mexico City to Mobile, Ala., led by an American lady, Mother Semple. They have not the wherewith to pay traveling expenses. The Government that fostered the dives on the Mexican side of the border has ordered them into exile. Will that Government tell the people of this country what was their crime? This instance is but one of a thousand, one link in a chain of cowardly robber acts that stretches back through the years. When some clerk in an official department of our Government service declares, in his rôle of spokesman, that all that is none of our business, then will he kindly tell us how or why we become so excited in our condemnation of Mexican laws on land tenure that are confiscatory, modeled as they are on the legislation of Russia, the real inspirer of the present-day Mexican Government? Has the spirit of materialism so seared our national soul that the finer and nobler things of life no longer make any appeal to us? Have we reached the point in our growing greatness where we are eloquent in our defense of oil-land rights, but tongue-tied and expressionless in standing forth as champions of religious freedom and fundamental decencies?

* * * * *

Since the above address was made we have been informed by the press that the order of the Mexican Government sending non-Mexican ministers of religion into exile has been canceled. I have not the slightest confidence in the sincerity of that gesture. The Mexican constitution and laws confiscating all church property to the State are still there. That confiscation is now an accomplished fact. The hampering of religious freedom has been carried on for years as a settled policy by that Government. There is another feature of the whole affair which is worthy of note: It is the studied discrimination

evidenced by the Mexican worthies in their treatment of Catholic and Protestant religious agencies. The latter were and are left free to carry on their work of proselyting. In fact, they are welcomed, aided, and abetted in their work by Mexican authorities, whilst all the engines of persecution are trained on the old church.

It will be of interest to watch the development of things from now on. Leopards do not easily change their spots. The Mexican representative in Washington has had the boldness to come out with a sweeping denial of the existence of any religious persecution in Mexico. He must imagine that we are a Nation of morons. Old World diplomacy has been defined as the 'fine art of lying.' In that school the finest diplomat is the one who can write 50 pages on a subject and say nothing. An axiom of such diplomacy is 'deny facts, though they be ugly and stubborn.' The Mexican representative must be a man of the old school. He denies facts. But facts are facts, despite 10,000 loud denials. Religious persecution is a fact in Mexico."

* * * * *

Mr. Chairman, in view of all these facts I believe that it is the duty of our Government to withdraw its recognition of Mexico until such time as the Mexican constitution is amended along the paths of decency, righteousness, and justice.

In addition, on May 17, 1926, I introduced a resolution in the House (H. Res. 269), which reads as follows:

Resolved, That the Secretary of State is hereby authorized and directed, if not incompatible with the public interest, to furnish to the House of Representatives at the earliest possible date such data and information as he may have in respect of the expulsion from Mexico of the Most Rev. George J. Caruana, a citizen of the United States, who was visiting in Mexico and who in no way violated any of the provisions of the constitution of that country by exercising his ministerial office.

In reply to this resolution I have here a letter signed by the Hon. Frank B. Kellogg, Secretary of State, in answer to the resolution, as follows:

DEPARTMENT OF STATE,
Washington, May 28, 1926.

MY DEAR MR. PORTER: I have received your letter of May 24, 1926, in which you were good enough to furnish me with a copy of House Resolution No. 269, which has been introduced by the Hon. JOHN J. BOYLAN, House of Representatives, authorizing the Secretary of State, if not incompatible with the public interest, to furnish to the House of Representatives such information as he may have in respect to the expulsion from Mexico of the Most Rev. George J. Caruana, a citizen of the United States.

In reply I desire to inform you that Ambassador Sheffield telegraphed under date of May 12 that Archbishop Caruana had informed him of the receipt of notice on the afternoon of the 12th instant that he must leave Mexico within six days. The ambassador further reported that in accordance with telegraphic instructions from the department sent to him on April 30 he would intercede on behalf of the archbishop. Under date of May 13 the ambassador telegraphed that he had interceded with the Mexican minister of foreign affairs on behalf of the archbishop and that the minister had promised to make an investigation and advise the ambassador.

The ambassador reported in a telegram dated May 15, noon, that he had just received a memorandum, dated the 13th instant, from the foreign office, stating that the archbishop had been invited to leave the country. A further telegram received from the ambassador, dated May 17, 10 a. m., stated that Archbishop Caruana left Mexico City for Washington via Laredo on the night of the 16th instant.

The department has taken a deep interest in this case, and while Ambassador Sheffield was interceding with the Mexican foreign minister I made appropriate representations on behalf of the archbishop through the Mexican ambassador at this capital. I regret the outcome of these efforts, but I feel that everything has been done which this Government could consistently do in the circumstances to prevent the expulsion of the archbishop.

My letter to you of March 2, 1926, contained various provisions of the Mexican constitutions of 1857 and 1917 and of the laws of 1859 and 1874 with regard to the church and clergy of Mexico, which you may desire to show to Mr. BOYLAN.

I am, my dear Mr. PORTER,
Very sincerely yours,

FRANK B. KELLOGG.

In conclusion, Mr. Chairman and gentlemen of the committee, I would say that in my opinion it should be held by all of us that American citizens are entitled to the same measure of respect, to the same measure of protection from our Government in foreign countries as they are in our own country. What does our flag amount to if it does not carry with it respect or if it does not protect the citizen of our country no matter where he may be? We all love its glorious stripes and bright stars, each one of them representing a sovereign State, but with it all, what beneficial influence will it have upon our citizenship if it does not protect them? Our Government is a

strong and a stable government. It is noted throughout the world for its achievements. We are looked upon as leaders; but if we are going to permit little countries to harass our citizens and to take away from them the rights which are justly theirs while traveling in foreign climes, who will respect us; who will respect our glorious emblem? Are we going to permit little nations to flaunt us; are we going to permit them to say our authority is without effect? I do not think we are. I think you will all agree with me in holding that every American citizen should be permitted to exercise the right of religious freedom while traveling just as we accord to the residents of every country who come here the right of religious freedom. We make no pretense to disbar a teacher of religion on account of the quota law. Strict as our immigration law is, we permit admission as a nonquota immigrant teachers of a religious faith, no matter what faith they profess, which speaks well for the intelligence of our beloved country. So it is we should demand that our citizens while domiciled in a foreign country should have equal privileges and rights for the exercise of their religious faith, no matter what it may be, and that they be not deported or thrown over the border like common criminals merely for exercising the religious principles in which they believe.

I appeal to the American Congress and through them to the American people to have our citizenship properly safeguarded not only here but abroad, that they may be protected by our banner—that splendid banner which represents the greatest liberty of the individual, the greatest liberty of opinion—a free press and religious tolerance. [Applause.]

Mr. MADDEN. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. LAGUARDIA]. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, in a letter written to Mrs. Ella Boole, national president of the Women's Christian Temperance Union, by Gen. Lincoln Andrews yesterday, he says:

Our experience so far has shown that individuals are misled by ridiculous newspaper and political statements.

I will now present to this House a ridiculous and political statement made by General Andrews in his capacity as Assistant Secretary of the Treasury while testifying before the Committee on Appropriations of the House. The Assistant Secretary of the Treasury has made some extraordinary statements and has given the committee definite assurances about what he will do if we will give him the money he has asked for.

This bill carries an item of \$2,931,010 to be given to the Prohibition Enforcement Unit. This, in addition to the \$10,635,685 contained in the regular appropriation bill for 1926-27 and the \$24,083,140 appropriated for the coast guard. Ordinarily an item of \$2,931,010 in these days of big appropriations would cause little or no sensation. This item and the facts surrounding the justification of this appropriation is not only startling but sensational in the highest degree. The Assistant Secretary of the Treasury, Brigadier General Andrews, has made some extraordinary statements and has given the committee definite assurance as to what he will do if we give him this money. It may be that General Andrews is doing the best that he can with an impossible law. Yet I can not understand how this man in his official capacity can have two distinct different personalities. Gen. Lincoln C. Andrews is a distinguished and gallant soldier. His record for courage, gallantry, loyalty, and intelligence is second to none who ever wore the uniform. As an officer of the United States Army he has rendered brilliant and conspicuous service. He was picked at one time to be instructor of cavalry tactics at the Military Academy at West Point when cavalry was the most strategic and important branch of the Military Establishment.

Anyone who has ever come in contact with General Andrews as a soldier has nothing but the highest praise for him. But what has happened to this man? It is a different man entirely who appears before the Appropriations Committee. General Andrews would sooner have been shot than to make the statements and the promises which he made to the Committee on Appropriations to a superior military officer or staff. Instead of the gallant, brilliant Cavalry officer studying his problems, terrain, calculating the forces required for his mission, and reporting the facts as fully and truthfully as he would as a soldier, we find the typical cringing officeholder seeking to please his boss, the administration, the Budget Lord, the Committee on Appropriations, the drys, and the wets. He strives for law enforcement without unduly disturbing the law-breakers.

Gentlemen, what have we here before us? I read only from the Assistant Secretary's testimony before the committee, the officer charged with the enforcement of the prohibition law, and what do we find? Mr. Andrews says the Prohibition Unit is

going to stop the sale of beer permanently by Christmas. Not only that, but out of this \$2,931,010 they are going to stop the manufacture and sale of illicit whisky permanently. Where? All over the United States? Oh, no. Apparently prohibition was not meant for the whole United States. What does the Prohibition Unit intend to do? It is going to take only a small territory—and you will find the testimony on pages 506, 508, and 511 of the hearing—that territory north of the Potomac straight to the Mississippi and east of the Mississippi north. The rest of the country may brew beer to their heart's content, manufacture hooch, bootleg, and moonshine with little, if any, interference on the part of the United States Prohibition Unit. Not only that, but on page 508 Mr. Andrews gives positive assurance that neither the whisky squad nor the beer squad provided for in this bill will carry on any activities in the States of Florida, Georgia, Texas, and California. Just why these States were specifically mentioned, although the bulk of the States south of the Potomac and west of the Mississippi are contained in this area, I do not know, other than to give assurance to certain members on the committee who were questioning him as to where these new squads are to operate.

Now, gentlemen, let us understand each other. Is this a national law equally applicable to all the people in the United States or is it a law applicable only to one section of the country? Mr. Andrews says that he is going to take his beer squad and divide it—I have here a map illustrating Mr. Andrews's plans—one squad will operate in Philadelphia, one in Jersey, one in New York, and the fourth in New England. Only in this territory he says he is going to stop the brewing of beer. While he includes as the territory where these special squads created by this bill will operate he gives positive assurance that they will not carry on their activities south of the Potomac or west of the Mississippi. So you have the States of Maryland, Delaware, Virginia, West Virginia, Kentucky, the southern part of Illinois and the southern part of Indiana and Tennessee, North Carolina, South Carolina, Missouri, Alabama, Georgia, Florida, Texas, and all of the country west of the Mississippi free to brew beer, free to still, free to drink, while these special expert squads will be operating in the territory mapped out by the prohibition department. Gentlemen, why this discrimination? Why special squads for 4 States and no squads for 39 States.

Mr. BYRNS. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BYRNS. The gentleman does not mean to intimate that the committee was influenced by that?

Mr. LAGUARDIA. No; absolutely not. It was only after the most painstaking examination by the chairman of the committee that the country is enlightened as to this shocking information.

Is Mr. Andrews so naive as to say that in these 39 States there is no brewing of beer? Does he think that this Congress is going to believe that there is no violation of law in these 39 other States? No distilling of whisky? Then they say that in New York, Pennsylvania, and New Jersey there is opposition to the prohibition law. Of course, there is no opposition to the prohibition law in these other States where the prohibition law is not enforced and, of course, the people of these other States are not opposing the prohibition law when the Assistant Secretary of the Treasury, the head of the prohibition enforcement department, states that he will confine his activities to a certain limited, specified area including only nine States.

Mr. MADDEN. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. MADDEN. The gentleman does not wish to convey the idea that General Andrews said that he was going to leave certain sections of the country without enforcement?

Mr. LAGUARDIA. I have the pages of the hearings marked here on this map. Page 501, page 508, page 511. Read the testimony. He gave the committee assurance that he would use the squads only in this territory that he calls the wet territory north of the Potomac and east of the Mississippi.

Let me show you how extremely ridiculous, how absurd the present prohibition program is. The Assistant Secretary testified before the committee that he is going to practically stop the unlawful importation of liquor into the United States and asks for additional men. Any other person but General Andrews, who might be inexperienced, could possibly make a mistake in calculation as to the number of men necessary to vigilantly and effectively carry on border-patrol work. General Andrews can not possibly make a mistake on this for the reason that his whole training, his schooling, his experience, and his work as an instructor of Cavalry tactics is of the very same nature. If there is one man in the United States who by education, training, and experience knows how many men are necessary to guard a given area, it should be General Andrews. It therefore becomes extremely difficult to understand why

he gave such ridiculous testimony before this committee which can be nothing else than intentionally misleading. His demand for men and what he states he will accomplish is so ridiculous that a boy scout in his first year could check up its absurdity. Now look what General Andrews says; his testimony on border patrol starts on page 518 and continues on, and I take my figures entirely from the Assistant Secretary's testimony. He wants 235 more men. He states on page 518:

The CHAIRMAN. Give us the form of your organization there, and the cost, and what area on the border they propose to cover.

General ANDREWS. This will take all the borders of the United States, both land and sea, and there are 235 patrolmen at \$1,800 a year, making a pay roll of \$423,000.

The CHAIRMAN. These are what you call patrolmen?

General ANDREWS. Yes.

The CHAIRMAN. Are they on foot or horseback?

General ANDREWS. They are mostly in automobiles or small boats—automobiles on the land borders and small boats on the water fronts. They are all to be commissioned as customs patrolmen.

Then again he says, I want to make clear just what General Andrews represented to this committee:

General ANDREWS. In making a study this year as to the number of men necessary to close the border pretty effectually, we have allocated so many men to each customs district around the whole border, and that was one of the reports that indicated the great need for these additional patrolmen.

As I say * * * so it is not solely to stop liquor and narcotics that these men will function. They will probably more than pay for themselves in added revenue to Government through customs collections, because it will be their function to turn everything into the port, so that it will have to pay its duty as it crosses.

Mark you, he is not only representing that he will stop liquor with these 235 men, but also undertakes to have them look after customs. Before we analyze the distribution of this new force, the General, no excuse me, not the General, because the General would not make such an absurd calculation, the Assistant Secretary of the Treasury states definitely all through his testimony that he needs 235 additional patrolmen. There is a big difference between 235 additional patrolmen and 235 additional men. General Andrews knows that, but Assistant Secretary of the Treasury Andrews does not so testify. He is getting here just 78 additional patrolmen, not 235. As everyone knows patrol duty must be carried on 24 hours of the day, so that if 235 additional patrolmen are needed he should have asked for 705 additional men, because working day in and day out on this kind of work no man can stand more than an 8-hour shift. So that all his explanation of what he will do with 235 men, the Assistant Secretary of the Treasury has forgotten that which of course the General knew, that he needs three times the number of men that he requires number of patrolmen. Now to come before a committee of Congress and to so testify as to let the word go out to the country that all liquor importations into the United States are going to be stopped can not have been unintentionally misleading.

I charge that it was absolutely misleading, and I charge further that the distribution of the forces are such as not only to make unlawful importations possible but to facilitate them and that hundreds of thousands of gallons of liquor will be imported into the country even though after we make this appropriation and notwithstanding the assurances given by the Assistant Secretary of the Treasury.

Now gentlemen, if you will follow the Assistant Secretary's testimony, starting on page 520, and follow the map which I have prepared you will see how utterly ridiculous are the provisions of the plans made by the Assistant Secretary of the Treasury. No Instructor of Cavalry tactics could possibly have made innocently such an egregious, enormous, and monumental blunder. He states that for this Atlantic—what he calls the Atlantic coast—the Maine district, he now has 9 customs patrolmen and 23 agents. The service there, he says, is satisfactory and therefore he will add none of the new men to this district. This district, by the way, starts with the southern part of Maine, up the Atlantic coast, then northwest into Canada, then southwest to the New Hampshire boundary, a frontage of 666 miles on the Atlantic coast and right on the Canadian boundary, and this territory is going to be covered by 23 agents, who will be busy also in the interior of the State, and 9 customs patrolmen. General Andrews is the only person in the United States who could possibly and earnestly and seriously believe that these 31 men can cover 666 miles on the Atlantic coast and the Canadian border and prevent importation of liquor. Thirty-one men means about eight men at a time covering 666 miles.

His next district takes the New Hampshire-Vermont-Canadian border. This is a frontier line of 129 miles. He now has

there 20 custom patrolmen and 12 prohibition agents, and he intends to add 6 of these new patrolmen. Let me call the attention of the House to the numerous villages right along the New Hampshire-Canadian border and the 38 men, which means about 12 men working at a time you are going to stop liquor coming in on 129 miles of frontage, assuming that these men devote all of their time to border patrol and none of their time in the interior on violations of the law. That is not all.

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

Mr. LAGUARDIA. Yes.

Mr. MADDEN. Does the gentleman think that the Assistant Secretary did not ask for enough money?

Mr. LAGUARDIA. Of course not. I am coming to that. The department does not intend to ask for enough; it would not dare.

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

Mr. LAGUARDIA. I have only 30 minutes.

Mr. HERSEY. I want to speak about Maine.

Mr. LAGUARDIA. But I have already spoken about Maine.

Mr. HERSEY. I know the gentleman has, and he has said that there were not enough men in the Prohibition Unit to look after Maine on the border between Maine and Canada. I want the gentleman to understand that our State officers assist the Federal officers there.

Mr. LAGUARDIA. Is that so?

Mr. HERSEY. Yes. The same is not true of the State of New York.

Mr. LAGUARDIA. Let me tell the gentleman from Maine what the Chief of the Prohibition Unit thinks about State officers. He says that he does not trust them, that he can not do anything with them, and he asks us to appropriate money so that he may establish a squad of under-cover men to check up on these State officers. While the gentleman from Maine insists that the State officers are doing this work, the Chief of Prohibition says he needs this lot of new men because the State officers are not doing the work.

His next district takes in part of the New York-Canadian border along the St. Lawrence River from the Vermont line down to Oswego, covering 259 miles. He has there 29 custom patrolmen now; he is going to add 9 men, which makes 38; about 13 patrolmen on duty all of the time to cover 259 miles of Canadian border along the St. Lawrence in New York State, and he has the audacity to say that no liquor will be brought in if we give him these additional men.

The next district covers about 129 miles along Lake Ontario and New York State, where there are now six custom patrolmen. Mr. Andrews, if we give him four more patrolmen there, is going to make it so tight that not one bottle will get into the State from Canada. Ten patrolmen, mark you, which means three men on a shift covering 129 miles on Lake Ontario-Canada-New York border, to make the State of New York dry!

His next district covers New York, a bit of Pennsylvania, Ohio up to about Cleveland, I believe along Lake Erie where he has now 5 patrolmen, 11 prohibition agents, and he says he is going to assign 4 of these new patrolmen, making in all 20 men with big cities in the interior. If all of these men abandon the violation work entirely in the interior, devote their time entirely to the coast work, 20 men, three shifts is about 7 men in a shift for 185 miles along Lake Erie, just beridden with ports, cities, towns, and villages.

His next district, which includes Sandusky from about Cleveland up to the Michigan border along Lake Erie, is about 110 or 111 miles. He has no men there and he says that he will stop all illegal importations of liquor by assigning 10 of these new patrolmen on that district; that is $3\frac{1}{4}$ on duty at one time to cover 110 miles on lake ports along the State of Ohio on Lake Erie, and you expect to get no liquor in.

Let me make it clear why I divide these patrolmen into three shifts. If they are all on duty at the same time they naturally must take their sleep all at the same time and their meals all at the same time. If that happened, bootleggers will comfortably bring in their wares when these men would be off duty and asleep. If there is to be a constant watch and a constant patrol, these patrolmen being only human and working every day in the week, allowance must naturally be made for sufficient time to rest, eat, and sleep. So the best that can be done keeping constant watch is to divide the force by three as anyone who has had any policing or military experience well know.

The next district is along the Michigan border of Lake Huron and Lake Ontario, 600 miles of lake front Canadian territory. There now are 3 agents there and 60 custom patrolmen. General Andrews intends to add 37, making 100 men all told, which means 33 men on duty at all times covering 600 miles along two of the Great Lakes, with hundreds of cities, ports, harbors, and villages all along these two lake fronts, and 33

men are going to prevent liquor from coming in along lake fronts of 600 miles.

The next district starts on the Wisconsin border, takes part of Lake Superior lake front, and then along the Canadian border to the North Dakota line, 380 miles of Canadian border. There are now 5 custom patrolmen there, and he is going to add 5 more of these new men, making 10 men in all. Ten patrolmen, three on duty all of the time covering 380 miles along the Canadian-Wisconsin and Michigan border, to keep all liquor out.

The next district is the North Dakota district along the Canadian border, 296 miles, and there are 12 patrolmen now there, but liquor is coming in now, says prohibition chief, so he is going to add 3 more of the new men, making 15 in all. That will be five men on duty at all times covering 296 miles, and not a drop of whisky will cross Canada into Dakota, guarantees the Assistant Secretary of the Treasury.

The next district is 555 miles along the Montana-Canadian border. There are no men there now, whisky is coming in, but the department is going to stop it. Fifteen of these new patrolmen provided for in this bill are going to be assigned to the Montana district, which means five men on duty at all times, covering 555 miles, and not a drop of illicit liquor will find its way into the great State of Montana from Canada, according to this program.

Then, Mr. Andrews's testimony is vague as to just how he is going to cover the border from the Montana line to Idaho and Washington, but he says the Seattle district is bad. He now has 11 customs patrolmen there and is going to add 15 of these new men. That is 32 men in all. Now, if they do nothing else, that is about 11 men on duty at all times, all hours of the day and night to prevent liquor coming in from Canada into Seattle, and gentlemen, if you just look at that map there, it is simply black with towns, ports, harbors, villages, and places along the water front where it is the easiest thing in the world to bring liquor in, and it is expected that we should believe that 32 men, 10 men guarding it at all times, will stop the importations that are now coming in at that part of the country.

From this point on we find that in Portland, State of Oregon, along the Columbia River, there are 11 prohibition agents doing patrol work, according to the testimony of the Assistant Secretary of the Treasury. Therefore, no men are to be assigned, so that we have there 575 miles of Pacific coast, the whole Columbia River, covered by 11 prohibition agents, and the head of the Prohibition Unit has the audacity to come before the committee and say they are doing excellent work and no more men are needed to prevent the importation of liquor in that territory. Gentlemen, to be frank, I do not believe that statement. I do not hesitate to say that anyone who will state that 11 men covering the city of Portland and the Columbia River territory with her 575 miles of coast in that immediate territory is sufficient to prevent liquor from coming in is deceiving nobody but himself, if he believes himself or if he makes such a statement seriously.

There seems to be no provision to guard the coast from Portland, Oreg., down to San Francisco. No liquor is expected to enter there; just look along the map, gentlemen, and see all these towns, ports, cities, yet no men there at all. But he is going to put 15 men at San Francisco and 15 men at Los Angeles to cover the great port of San Francisco with its hundreds of vessels coming in daily and its 775 miles of coast on the Pacific. Do not forget, gentlemen, that California is one of the States which was specifically mentioned by the Assistant Secretary that will be free from the operation of the new whisky and beer squads. Then we come down to Los Angeles and, of course, the people around Los Angeles do not drink, they do not like liquor around there, so the whole southern part of California, contained in this 775 miles, is going to be guarded and liquor is going to be kept out by 15 of these new patrolmen. Gentlemen, can any serious-minded man urge such a proposition?

Mr. BYRNS. Of course, General Andrews can utilize only such men as he has at his disposal. What is the gentleman's position? Does he think he ought to have more men? Does he think he is not trying to enforce the law?

Mr. LAGUARDIA. I am coming to that. I think that General Andrews should have said what is absolutely true. He should have said, "Gentlemen, with these 235 men that you have given me I am unable to do anything. With these 30 men in California—and let them work eight hours a day each, because it is necessary to have a constant watch—I have only 10 men attempting to watch a coast line of 775 miles, and it can not be done." That is what he should have said.

The Assistant Secretary does not tell us what he has along the coast of Arizona, but he says he is not going to put any

more men there. So we have 370 miles along the Arizona-Mexico border unaccounted for and, of course, that means, according to official assurance, that no liquor comes in from Mexico via Arizona. Beat that one if you can.

Then we have 929 miles along the Mexican-Texas border, but Texas is one of the States that is not going to be molested by the new squads; therefore 12 patrolmen are going to be located at El Paso, 4 men on duty at all times, together with 12 men at San Antonio, 9 patrolmen there now and 3 additional new men, making 24 at El Paso and San Antonio, covering a 929-mile stretch between Texas and Mexico, and that is expected to prevent liquor from coming in from Mexico.

Mr. SPEAKS. Will the gentleman yield?

Mr. LAGUARDIA. In just a moment. I will ask our friend, Mr. TILSON, who saw military service on the Mexican border, if he would attempt to patrol 925 miles of border on the Mexican border or Texas boundary with 25 men, 8 men on duty every hour of the day—a stretch of 929 miles, with booze coming in by machine, by burro, by automobile, and by every conceivable known manner of transportation? Of course it is an invitation to bootleggers. The gentleman from Tennessee asks me what I would do. I will tell you. If I were a prohibition enforcement agent, I would come before this committee and say, "Gentlemen, if you expect me to keep booze out of this country, and if I am going to keep prohibition enforced in this country, you have got to give me a force of 250,000 men."

Mr. SPEAKS. Will the gentleman yield for a brief question?

Mr. LAGUARDIA. Yes; briefly.

Mr. SPEAKS. It will be brief. The gentleman from New York seems to derive much satisfaction from trying to discredit the law-enforcement intentions and abilities of General Andrews. Now, what I wish to ask the gentleman is this: Will not the public interests be better served and the attitude toward the law observance more generally improved by the general's efforts to faithfully perform his trying duties, even though they may not be all that is desired, than will follow from the recent nation-wide publicity given by the gentleman from New York to his plan for successfully violating the letter and spirit of the prohibition law, and which has doubtless encouraged many persons to engage in lawlessness who without this exhibition and urging might have been good citizens and obeyed the law?

Mr. LAGUARDIA. Let me say to the gentleman from Ohio so the gentleman will get it right—

Mr. SPEAKS. I am getting it right absolutely in accordance with the facts.

Mr. LAGUARDIA. What he did was this. Under the ruling of the department—

Mr. SPEAKS. Well—

Mr. LAGUARDIA. Let me answer the question. The gentleman took the ridiculous ruling of the department which permitted the Pabst Brewery, the Anheuser Bush Brewery, the Schlitz Brewery, and a lot of other breweries I can not remember, to put out a malt extract containing 3.76 per cent of alcohol and others containing 4.16 on the market. The gentleman then took a bottle of near beer, poured it into a glass, and drank that. That shows how ridiculous the law is. If 2.75 beer can be obtained in two bottles, why not let the people get good 2.75 beer and end this impossible law.

Then we come to the Gulf of Mexico, and we find 400 miles of coast in the State of Texas that is going to be covered by 10 of these patrolmen, making 3 on duty at all times covering 400 miles of Gulf of Mexico coast and the 3 men will keep all liquor from being imported from the West Indian Islands and Central and South America. What a sham!

The next stretch is 350 miles which will be covered by 12 men at New Orleans. Of course, everyone knows that New Orleans is a very dry city with its numerous towns, ports, villages, and cities along the coast of Louisiana. With the West Indies trade 12 men, divided into three shifts of 4 each, will be able to successfully patrol and guard 350 miles of Gulf front! If this is not an invitation to import liquor, I do not know what it is.

Then the next district covers 950 miles around Florida. This 950 miles of the east coast and west coast of Florida is to be covered by a total force of 25. A shift of 8 men is to prevent all liquor coming in from the West Indies or other ports in the various hundreds of small ports in the west and east coast of Florida. And you expect us to be serious about this proposition.

Then the Treasury Department's plans take us to the Atlantic coast. From Philadelphia down the Chesapeake along the Atlantic coast for 890 miles down to the north end of Florida there are five men on duty at present, and two additional men will be added at Charleston. So that from the north line of Florida up to Philadelphia, about 890 miles, is going to be covered by seven men, two and one-half working at a time all along the

coast of Virginia, North Carolina, South Carolina, Georgia, and part of Pennsylvania, according to the plans to keep liquor from entering via Atlantic ports.

Then the Assistant Secretary makes this startling statement: That he has two excellent men in Baltimore, and that these two men in Baltimore are doing such efficient work there that he is not going to detail any of these new men there. All the rest of his statement is just about as accurate as that. Dry, bone dry, Baltimore, where two men, according to the Assistant Secretary of the Treasury, are keeping all liquor from coming in. These two excellent men working on 12-hour shifts each will guard that whole Maryland coast. [Laughter and applause.]

Then he jumps to the New York district, and from New York to Baltimore, 296 miles, he is going to add 15 men—mark you, this takes in all of Long Island, all of Connecticut, all of Rhode Island, and all of the Atlantic coast. Fifteen men working five in each shift will guard this enormous coast along the Atlantic.

He then assigns his last 10 men to Boston, and they will take care of all the New England coast up to the point from which we started.

Now then, gentlemen, that we have gone around the map with the head of the prohibition department anyone who wants to be fair about this matter must admit that liquor will not be kept out of the country. In order to keep liquor out of the country, as I said before, it would require a force of not less than 250,000 men. If we are to have prohibition, enforce the law. The Treasury Department with a ridiculous plan, such as Mr. Andrews explained to the committee, seemingly does not intend to enforce the law, and I maintain that the very sponsors of this law would not dare to enforce it. It would cost a hundred million dollars to commence to enforce the law in this country and to keep liquor out entirely. Let us do that, and then let us see when the people can get no liquor and nothing to drink what our dry friends will say and do. Let us enforce prohibition and see if the American people really want prohibition. Ah, I see my genial colleague from New York [Mr. BOYLAN] sitting before me. They ridicule us, Mr. BOYLAN, for being opposed to the prohibition law, perhaps we would not be if there were no attempts to enforce the law in our State. We believe that this law should be enforced equally in every State and appropriate money for enforcement in every State, and not exclude the so-called dry territory. No wonder certain parts of the country are strong for prohibition, considering the partiality of the enforcement of the law.

Mr. CROWTHER. What is the burden of the gentleman's song. Is the gentleman mad because we are getting this money spent in our territory in New York and that nobody else is getting it? The gentleman should remember that our governor vetoed the concurrent jurisdiction legislation that was necessary, the State enforcement act, and therefore we need more men there.

Mr. LAGUARDIA. Of course we need more men. I am just saying, let the law be enforced alike in every locality and in every State, and we will soon find out if New York is any more wicked or any more wet than any other State.

Gentlemen, the Assistant Secretary, Mr. Andrews, testified at length before the committee as to the extent of the manufacture of beer. He estimates that at least 100,000,000 gallons of beer was being brewed. Whether he limits the 100,000,000 to that small portion of the country where he intends to enforce the law, or whether some of the 100,000,000 is being brewed in the 39 States which are not to be molested by the beer squads, he does not make clear. At any rate it is clear that Mr. Andrews finally admits that beer in the State of Pennsylvania is being brewed. Why, I have been trying to get this information from the Treasury Department for some time. If Mr. Andrews had any information from his own records and from his own department concerning the manufacture of beer as he testified on May 17, then it is hard to reconcile the letters of May 12 and June 3 from the Treasury Department to the Judiciary Committee in response to House Resolutions 255 and 274. I charge that willful misstatements of facts are contained in the Treasury Department's letters of May 12 and June 3, 1926, addressed to the chairman of the House Committee on the Judiciary. In Resolution 255 I made specific inquiry concerning the output, violations, and fines of a certain brewery. In reply, under date of May 12, it was stated that the Treasury Department could not furnish this information without the necessity of conducting an investigation outside of the department. Yet the very information that I was after Mr. Andrews, who signed the letter of May 12, had in his possession at that time, as is plainly revealed by his testimony before the committee. In my Resolution 274, where I make specific inquiry as to what information was not within the knowledge of the department or in its possession, the knowledge of this very

same information which the Assistant Secretary testified to on May 12 was denied in the department's letter of June 3. When I had Mr. Britt, chief counsel of the Prohibition Unit, on the stand and asked him about this particular case, he had a faint knowledge of it, but promised to send me information. This was, mark you, on June 18, 1926. This was before the Committee on Alcoholic Liquor Traffic of the House. The distinguished gentleman from Idaho [Mr. SMITH], a member of that committee, is present and will bear me out. I received a letter on June 18 from the Director of Prohibition in which finally the department admits that I was correct in the inquiry contained in my resolution concerning the amount of fines assessed against this particular brewery, which amounted to over \$269,000. Let me read the letter:

TREASURY DEPARTMENT,
BUREAU OF INTERNAL REVENUE,
Washington.

Hon. FIORELLO H. LAGUARDIA,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN LAGUARDIA: Mr. Britt, chief counsel of this unit, has informed me of your request for certain data relative to the Howell & King Cereal Beverage Manufacturing plant at Pittston, Pa., and in compliance with your request I submit the following facts, which, as I understand it, are the points which you desire covered:

A criminal information was forwarded by this unit to the United States district attorney, together with a plea for injunction on February 21, 1924, and on March 19, 1925, a plea of *nolo contendere* was entered against the company, covering the violations of December 6, 1923, and February 1, 1924, and a fine of \$1,200 was imposed.

A final injunction was entered on October 12, 1925, with the consent of the defendants, closing the premises for a period of nine months; but this injunction was afterwards so modified as to allow the manufacture of ice cream and kindred products.

All personal property of the company, including intoxicating liquors, materials, articles, and paraphernalia was seized November 10, 1923, and libel was prepared and presented to the United States district attorney.

On May 27, 1926, a tender of the sum of \$10,000 in compromise of the civil liability of the company was rejected. A proposed assessment of \$269,912 is now pending a determination. This office has no means of knowing what part, if any, of this will finally be held to be a valid assessment.

If any other information is desired relative to this case, I shall be glad to furnish it, to the extent of the records.

Very truly yours,

JAMES E. JONES,
Director of Prohibition.

The point I desire to make is this: If negotiations were pending to settle these fines and penalties against this brewery for \$10,000, and the letter admits that on May 27 the \$10,000 was tendered, why did the department deny this fact on June 3? If the department says that it had no knowledge of this fact on May 5, when I introduced House Resolution 255, how is it that I knew it and that everyone else in Pennsylvania knew about it at the time. I dare say that the \$269,000 penalties and fines were not settled for \$10,000 on May 27 solely on account of House Resolution 255, but it was common knowledge that the brewery was operating along that time. Are we not to expect accurate statements of facts from the department? Is the House of Representatives not entitled to accurate statements of facts in response to a resolution of inquiry? Is a Member to lose the privileged status of his resolution under the rules by a mere letter containing misstatement of facts from a department? I protest against the action of the Treasury Department in misstating the facts in these two letters. I do not care how acute the political situation in the Secretary's home State might have been at the time.

So in reply to the gentlemen who have asked me what I would do, and in reply to the gentleman from New York [Mr. CROWTHER] and to the gentleman from Ohio, General SPEAKS, I will say that when I learned of the wholesale violations of the prohibition law in the State of Pennsylvania and in other States I took proper legislative action by introducing a resolution of inquiry to obtain the facts from the department in order to file proper charges against the officials responsible. And I will say that I was blocked by the department's own attitude and action in dodging and refusing to give information which it had but stated that it did not have.

I have filed formal charges with the Department of Justice of a violation of section 3679 of the statute. I brought the attention of the Department of Justice to the taking of 350 cases of liquor in the custody of Federal officials away from the very Federal building in Indianapolis. These charges have been verified, but it strikes me that every time any effort is made to get real enforcement in certain places very little as-

sistance—I will say no assistance or cooperation—can be obtained from the Treasury Department. Yet Mr. Andrews is writing letters that he is putting all his energies into enforcing the law. What kind of an enforcement is it when he boastfully assures us that in certain territory and in many States these special squads will not be assigned and will not operate?

Mr. MADDEN. Is it not but fair to say of General Andrews that he was not giving assurance to anybody except to state the fact that he was going to enforce the law?

Mr. LAGUARDIA. He said he would put no men in the States I have mentioned. Even the chairman suggested "north of the Ohio River?" And he said, "Oh, no; not north of the Ohio River; north of the Potomac."

Mr. MADDEN. I want to do justice to the gentleman to say to the committee and say to the gentleman and to the House that I do not think he intended to make the statement he made in a way that was calculated to impress the committee with any policy in order to influence the committee.

Mr. LAGUARDIA. It is a sort of left-handed log-rolling proposition on the part of Mr. Andrews, let me say.

Mr. MADDEN. There was nothing of that sort in the mind of the committee. The committee is thoroughly in favor of the enforcement of the act.

Mr. LAGUARDIA. Then, will the committee divide this money equally among the States? Gentlemen, do not criticize us as being against this law; you gentlemen coming from States where the Government officials say they will not enforce the law in your States. In this prohibition enforcement give the Treasury the money, and stop the booze coming in at Seattle, and at Portland, and along the Pacific coast 575 miles. Stop it coming in from Mexico. Look at Florida, 950 miles of coast, with 129 men. Stop it all over.

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

Mr. LAGUARDIA. Yes.

Mr. HERSEY. Does the gentleman take into account the fact that the Coast Guard and the revenue officers are added to this force?

Mr. LAGUARDIA. Yes. But the gentleman knows—he comes from a coast State—that the Coast Guard fleet, if it is watching the Jersey coast it can not protect the Florida coast at the same time. The bootleggers know where the fleet is operating.

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

Mr. LAGUARDIA. May I have five minutes more?

Mr. MADDEN. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. SNELL. How many men will it take?

Mr. LAGUARDIA. At least 250,000 men. I was talking with a General Staff officer to-day. This is serious, gentlemen. Let us be frank about it. Do not swallow such twaddle as General Andrews's testimony, that he is going to stop the importation of liquor with these few men. We have a law on the statute books but do not officially announce it and say that it will be enforced on only four points in the northeast of the country.

Mr. MADDEN. I would like to qualify that statement a little by adding this to it: All the money that has been asked for has been given. They can not say they have not the money. He has had all he asked for.

Mr. LAGUARDIA. Exactly, Mr. Chairman. They do not want to stop the importation at certain points. Let us be frank about this thing. As long as liquor is coming in and as long as the territory in these 39 States is going to have as much liquor as it wants, you are going to have people saying it is all right. Let me say to the gentleman from Iowa [Mr. GREEN] that it is all right for Iowa, but it is not good for New York.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. GREEN of Iowa. Let me say to the gentleman that we enforced the law in Iowa when the States around us were against it, so that we did not need the men you are speaking about. The gentleman has talked about being frank, but he has not made a frank statement.

Mr. LAGUARDIA. Will the gentleman from Iowa say there is no liquor consumed in Iowa?

Mr. GREEN of Iowa. No, no.

Mr. LAGUARDIA. There is your answer.

Mr. GREEN of Iowa. But let me say to the gentleman that we are getting along pretty well.

Mr. LAGUARDIA. But the gentleman admits that liquor is consumed in Iowa?

Mr. GREEN of Iowa. Yes; and always will be. Gentlemen are all the time talking about liquor and saying that the liberty of the people is being taken from them because they can not have wine and beer.

Mr. LAGUARDIA. Let me say to the gentleman that the per capita consumption of alcohol in the State of Iowa is equal to that of the per capita consumption in any other part of the country.

Mr. GREEN of Iowa. The gentleman does not know anything about it, and he has no way of getting statistics to show that.

Mr. LAGUARDIA. They make a lot of hard cider there.

Mr. GREEN of Iowa. No; I think the gentleman is mistaken.

Mr. LAGUARDIA. Well, how about corn liquor? Iowa is a great corn country. Is not a great deal of corn liquor made there?

Mr. GREEN of Iowa. Very, very little, I can assure the gentleman.

Mr. LAGUARDIA. How does the gentleman know that?

Mr. GREEN of Iowa. Because we have men there who enforce the law, and we are not like you are in New York, where your State authorities will not cooperate.

Mr. LAGUARDIA. I will take the gentleman up on that. If you want to enforce the law in New York, why did you make such a farce of it and put 15 men on to keep liquor out of that State and to patrol the whole coast?

Mr. GREEN of Iowa. The gentleman knows there are more men than that.

Mr. LAGUARDIA. All right. Say you have 150. How are you going to keep liquor out? It would take 15,000 to patrol the border and the coast of New York.

Mr. GREEN of Iowa. Now the gentleman is getting somewhere near it.

Mr. FISH. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FISH. I would like to ask my colleague how these appointments are to be made—these new appointments under General Andrews?

Mr. LAGUARDIA. This is good; and I am glad the gentleman reminded me of it. Mr. Andrews says he is going to take them from the civil-service list, and that is all very good; but he is going to go into the Army and get "noncoms." Now, take a man who has been in the Army most of his life and put him into the Prohibition Unit, and he is going to be helpless for a couple of years. He will not know what it is all about. He is going to take these men who have had nothing but Army experience and who do not know anything about the ways of politicians, in Pennsylvania, for instance, and other States. He expects to put them on the force to keep liquor out of the country.

Mr. FISH. I refer to the prohibition agents and not to the men higher up. How are they to be chosen?

Mr. LAGUARDIA. He says he is going to get "noncoms" from the Army.

Mr. FISH. The gentleman comes from New York City, and it may be very interesting to the House if he would tell us how the last dozen agents were appointed in New York City—how they were appointed and on whose recommendation they were appointed?

Mr. LAGUARDIA. The gentleman knows I have been excommunicated from political circles of late and I do not know. They do not consult me.

Mr. FISH. My information is that the last 9 or 10 agents appointed all came from New York City and were appointed on the recommendation of the wet district leaders.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MADDEN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. FISH. My understanding is that the last dozen or so of agents who were appointed in New York were appointed on the recommendation of the wet district leaders. Can the gentleman answer as to whether that is true?

Mr. LAGUARDIA. Well, you can expect anything from the Treasury Department. Let me say this to the gentleman: What can you expect when the Secretary of the Treasury was formerly a whisky distiller himself?

Mr. FISH. For the information of the gentleman and for the House I am going to read the names that have been handed to me of the men who have recently been appointed, within the last few months in New York City.

Mr. LAGUARDIA. Just a moment, please.

Mr. FISH. May I give the gentleman this information?

Mr. LAGUARDIA. All right.

Mr. FISH. The names read as follows, and I read the last names: Buschette, Manzella, Junkers, Thurwaldson, Cohen, and Benoff. Those are the men who have been appointed to enforce this law in New York City within the last few months.

Mr. LAGUARDIA. Of course, the gentleman can not judge of a man's caliber by his name.

Mr. FISH. Not the caliber at all, but I can judge whether they have a tendency to enforce it somewhat by the names and somewhat by the recommendations.

Mr. LAGUARDIA. Oh, no; not by names. What can a little agent do, and what will he do, when he hears about the primaries in the State of Pennsylvania, the home State of the Secretary of the Treasury, where the breweries were wide open and the saloons were wide open for political purposes and these breweries and these bootleggers were supporting dry candidates? [Laughter.] The Treasury Department must have known of the operation of the breweries in the State of Pennsylvania. Why, they were wide open during the last primaries. The breweries were operating, and beer was flowing as fast as the law of gravitation would permit it to come out of the kegs. [Applause and laughter.]

Gentlemen, in conclusion let me say that sooner or later we must admit that prohibition laws as they stand to-day are simply impossible of enforcement. The quicker that we will be frank about it, and the quicker that we get together and amend the laws, the quicker we will have real temperance in this country and put a stop to the graft, corruption, disobedience of law, and the waste of millions of dollars of public funds. One glance at the map that I use here to-day with wet country all around us, with a bootleg industry organized, systematized, established, should be sufficient to convince any fair-minded man or woman of the impossibility of enforcing this law unless we so modify it as to get the cooperation and the help of the great mass of American people. At the proper time I shall offer an amendment increasing this border patrol force and give the department enough men to make at least a serious attempt to keep liquor out. I do not believe in announcing publicly that the law is being enforced, when as a matter of fact it is not being enforced. The very program of the department is an invitation and a notice to wholesale bootleg importers as to how, where, and when to get their liquor into the country. I do not understand how any supporter of the law can approve such a program. When we complain, they say, "Oh, he is a wet." Well, I would like to hear any dry dispute the fact that the program as outlined by the chief of the prohibition department can not and will not keep liquor out of the country. I am for modification of the law, but I am not for winking at the law and pretending to be for it and making it possible for wholesale importations of liquor and limiting the Federal beer squads to four States of the Union. That is not enforcement in any sense of the word. New York is no better and no worse than any other State in this regard.

There is as much per capita consumption of alcohol in dry Kansas, dry Maine, dry Iowa, as there is in wet New York, wet New Jersey, and wet Rhode Island. We are not satisfied with existing conditions, while other States are. We protest against this law, while other States that are not being molested perhaps are contented. As long as the law is on the statute books I shall insist upon its enforcement. If it costs millions and millions, the money must be appropriated. If the Government can not afford to spend the money the people should know it. If spending millions and millions we can accomplish no results, the people should know that. If after trying, as we have been doing for the past six or seven years and find that we are up against a human impossibility, let us be sensible, amend the Constitution, and pass a sane law which will create a temperate Nation of law-abiding people. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BYRNS. Mr. Chairman, I yield to the gentleman from Ohio [Mr. CROSSE] such time as he desires.

HOME LOAN BILL

Mr. CROSSE. Mr. Chairman and members of the committee, the poet, Montgomery, expressed a beautiful sentiment in the lines:

His home, a spot on earth supremely blest,
A dearer, sweeter spot than all the rest.

The importance of the home to the welfare of any nation, in fact to the very life of a nation, is so well understood as to require no discussion. The more universal is the home instinct of the people of any country, the higher is its standard of

morals. Although, without owning a house, one may establish a home, nevertheless the ownership of the place which one regards as home develops a feeling of self-confidence and self-respect which can be gained from almost no other experience in life. It would seem, therefore, to be admitted that whatever may be done to encourage the ownership of homes by our people will improve the standards of American life. Heretofore, however, it has been almost impossible, or possible only by the most extreme sacrifices, for those depending on their meager earnings to procure for themselves houses in which to establish homes. Even if by the greatest economy they are able to save a little money for the purpose, they are always compelled to borrow a large part of the money necessary to purchase a house. The high rate of interest which must be paid for the use of the money and the cost of procuring the loan add greatly to the burden of the person striving to have a home of his own.

Knowing how hard it is for the ordinary man to borrow money, it is a common thing for the banker to insist upon a grossly unreasonable profit from those who must have a loan. It is true that in every State of the Union laws have been passed prohibiting those lending money from charging more than a certain rate of interest. In Ohio, for example, if no specific agreement is made about the rate of interest which is to be paid to the lender for the use of money, the law allows him 6 per cent. The money lender may expressly provide in the agreement for the payment of interest at the rate of not more than 8 per cent, and that is the highest rate of interest which the law of Ohio permits anyone to charge for the use of money.

For many years, however, the professional money lender has succeeded in evading the law which prohibits the collection of interest in excess of 8 per cent. He accomplishes his purpose by charging what he calls a "bonus" for getting the loan for the person desiring to borrow money. At the beginning of this practice the professional money lender, who is generally a banker, would explain to the person asking to borrow money that the bank had refused the loan, but that he might be able to get the loan somewhere else if the person desiring to borrow the money would pay him for his services. Almost always, of course, the applicant for the loan would agree to pay the amount named for the services. The amount charged by the lender would be from 10 per cent to 30 per cent of the amount of the loan. If the lender thought that the borrower, rather than pay more than 10 per cent bonus, would do without the money or go somewhere else for it, his charge for his services would be 10 per cent, or even a little less, but if the borrower was compelled to have the money the lender charged him often as much as 30 per cent for getting him the loan. Now, as a matter of fact, the loan was actually made by the banker himself, and he merely had the note and mortgage made to someone else and then assigned to the real lender by the person to whom the note and mortgage had been made in order to evade the law prohibiting him from charging an excessive rate of interest.

The practice has now become so common, however, that the professional money lender does not take the trouble to explain to the borrower that he is charging him a commission ranging from 10 per cent to 30 per cent for his services in getting the borrower the money. The borrower of the present day is bluntly told that the interest on his loan will be so much and that the bonus will be so much. The result of all this is that the person struggling to buy a house to be used as a residence invests in his house, when all is said and done, only part of the money which he borrows. If it becomes necessary for him to sell his house, he must generally lose at least the amount of the bonus, for that amount is not paid for material or labor for the house. As already explained, the payment of the bonus has the effect also of increasing the rate of interest paid by the person on the money actually borrowed and invested in the house. If, for example, a man should borrow \$1,000 and be charged 20 per cent bonus, he would receive only \$800 which would actually be used for the purchase or construction of the house. If the note for \$1,000 should provide for 8 per cent interest, which is the highest rate that the law permits, then he would pay \$80 per year interest on the note. Since, however, he would receive in cash only \$800, that would mean that he would pay \$80 per year for the use of \$800, or, in other words, he would pay 10 per cent to the money lender, or 2 per cent more than the law permits him to charge. Not only would the borrower be compelled to pay the 2 per cent in excess of the lawful rate, but he would also pay the 15 or 20 per cent or even 30 per cent bonus, which represents no value in his house.

It would seem that all right-thinking people should be opposed to this practice and that something should be done to stop it. In recent years the building and loan companies have been a real help to the people. They have enabled many persons to get homes who could not manage to get them otherwise. With the building and loan companies which have been doing business fairly and according to law there is no complaint. Some method should be adopted by the Government, however, to prevent the greedy money lender from evading the law by charging most excessive interest and thereby discouraging the praiseworthy efforts of the people to own their own homes.

Some time ago I introduced H. R. 5581, entitled:

A bill to provide capital at reasonable rates of interest in order to promote the establishment and ownership of homes by the people of the United States.

This bill follows the plan of the farm loan act. That plan was adopted for two reasons: First, because it overcomes the objections of those timid people who, before supporting a measure, must always know that the same thing has been done before, either here or somewhere else; second, because the farm loan act itself has been a great success and has helped the farmers greatly.

I was told a few days ago by a prominent citizen of Nebraska that not only had the farm loan act made it possible for farmers to procure loans on reasonable terms, but that the act had resulted in the reduction of the interest rate charged by the privately owned banks of the State. When the private banks found that the farm-loan banks were lending money to farmers on reasonable terms, they were compelled to lower their rate of interest in order to get any business. No one would now propose to abolish the farm-loan banks, and even a suggestion that we should abolish them would be met by a storm of protest. There are 6,500,000 farms in the United States, but there are more than 24,000,000 families not living on farms, and these 24,000,000 families require homes.

I am glad that the Congress passed the farm loan act which so greatly helps the farmers of the country to borrow money conveniently and at a reasonable rate of interest, but I insist that the families not living on farms should be given the same kind of help to enable them to establish homes. I do not propose in the bill which I have introduced to give the home builder something for nothing. I do claim, however, that the Government should do everything possible to make sure that the people of this land, who are earnestly striving to establish homes, should get real value for the money which they spend for that purpose. To insist upon this is not to propose charity for anyone. I claim that it is necessary for the welfare and strength of the Nation itself. One writer has said:

The strength of a nation, especially a republic, is in the intelligent and well-ordered homes of the people.

That statement is true.

No good reason can be given why this measure should not be passed promptly. It is no reason at all to say that it is in advance of the time. That same argument has been made against every proposal to enact laws for the purpose of abolishing different forms of injustice. Regardless of how Members feel about this question, at the present moment, it is absolutely certain that before long a law of this kind will be passed. Why then delay? Let us take action at once, and thereby render to the American people a service of great value. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HILL].

Mr. HILL of Alabama. Mr. Chairman, the House is now considering the deficiency appropriation bill to which there is no opposition while waiting for the Senate to finish its schedule of business. All the bills on the Senate's schedule of business have already been passed by the House and it is generally accepted that as soon as the Senate completes its schedule of business within the next few days Congress will adjourn.

I have just sent to the Clerk's desk a request for a leave of absence for my colleague from Alabama [Mr. ALGOOD] on account of important business. The distinguished gentleman is entitled to this leave. He has earned it. For three years I have been his colleague in this House, and, as an Alabamian, I have watched with pride his magnificent work. I have rejoiced in his high courage that has stood like a rock in the storm. I have admired his unremitting toil. I have been glad as his fine ability has marked his career in this House with accomplishments for his people and carried him into the esteem and the appreciation of its membership. As an ex-service man who at the Cleveland national convention of the American Legion was

privileged to serve on the committee that fashioned the Veterans' Bureau as we have it to-day, I have seen him put through claim after claim and render valiant service to our disabled comrades. I have watched this farmer boy, now full-grown man, start at the bottom in this House, as all who come must, marshal his experience with the wealth of information he had garnered as commissioner of agriculture of Alabama, fight the farmers' battles, and win his way to a position of authority on farm legislation. Friend of the toiler, champion of the masses, patriot ever in his country's cause, he has gone home to a great and grateful people to receive from them the glad-dening response: "Well done, thou good and faithful servant." [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 30 minutes to the gentleman from the Philippines [Mr. GUEVARA].

Mr. GUEVARA. Mr. Chairman and gentlemen of the committee, another important contribution to the existing literature regarding the Philippine Islands was furnished by the gentleman from New York [Mr. BACON] in his remarks extended in the CONGRESSIONAL RECORD of June 11, 1926. He has made certain statements regarding the relationship existing between the inhabitants of the rich and fertile island of Mindanao, commonly called Moros, and the Christian Filipinos of the island of Luzon and Visayan, and has arrived at the conclusion that the only remedy for the evils which he states exist in this relationship, resulting, as he says, from the present system of government of the islands, lies in separating the country inhabited by the Moros from political relationship with the rest of the islands and placing it directly under the control of the United States.

The reasons advanced by the gentleman which induce him to arrive at this conclusion are, briefly, as follows:

1. That the Moros are essentially a different race from the Filipinos; that for hundreds of years there has existed bitter racial and religious hatreds between the two; and that complete union of the Filipinos under one government is distasteful to the Moros, who would prefer a continuance of the American sovereignty.

2. The terms of an agreement entered into between Brig. Gen. John C. Bates purporting to represent the United States, the Sultan of Sulu, and certain other Moro officials, under which the Sultan recognized for himself and his subjects the sovereignty of the United States and the protection of this Government, in return for which recognition of certain rights was accorded to the Moro people.

3. The lack of true representation on the part of the Moros in the Philippine Legislature, their judges, prosecutors, and constabulary being at the present time Filipinos, in contrast to conditions existing prior to 1913.

4. The claim that the public peace was duly preserved prior to 1913, but that subsequent to that time, and especially since 1916, ill feeling between Moros and Filipinos has increased, leading to frequent conflicts and bloodshed.

With all deference to the gentleman from New York, I wish to take issue with these statements which he has made.

It has frequently been asserted on the floor of this House, both by the gentleman from New York and others, that those living in the Philippine Islands who belong to the Mohammedan faith are of a different race from the Christians who live in the northern part of the islands. In fact, however, such is not the case; both Mohammedans and Christians are of the same racial stock, homogeneous in character, the term "Moro" being used in a popular sense to distinguish those of the Mohammedan faith from their brothers. Noted historians of past and present centuries are unanimous in their conclusions that the Filipinos, whether Christian, Mohammedan, or Igorot, are one people. They differ, of course, in religious belief and to a certain extent in the degree of civilization to which they have attained. These differences in religion and civilization are the natural result of the political situation which the Filipino people have been forced to endure for the last 300 years. Nations which have held dominion over the islands have always been successful in arming Filipinos who have been brought beneath their dominion to assist in subduing those still in rebellion. This occurred during the period of Spanish sovereignty and it happens at the present time. The most effective way to subjugate a people is first to divide them against themselves. Such a policy may not be ideal but it is extremely effective. The self-interest of the dominant power is for the time being placed above every other consideration. This is the attitude and intent of those who are now striving to instill in the minds of Americans the belief that there is a racial distinction between the Moros and the Christian Filipinos despite their common history of more than 400 years past.

The Filipinos who inhabit the Moro country have, it is true, no elective representatives in the Philippine Legislature. I speak for the entire body of Christian Filipinos in saying that I sincerely wish that the Moros might be enfranchised with the same political rights as those enjoyed by the rest of their fellow countrymen and that they might be permitted to make their own choice of their representatives in both houses of the legislature. It is not, however, within the power of the Philippine Legislature to grant this privilege. This power rests solely in the hands of the Congress of the United States. Since the beginning of American sovereignty in the islands the Congress has at all times seen fit to establish a special form of government for the inhabitants of the Moro country, though placing them under the jurisdiction of the Philippine government. Hence it is wholly unfair to assert either directly or by implication that the Christian Filipinos deny or would wish to deny to their Moro brothers any of the political liberties now enjoyed by them. I pledge my support and that of the Christian Filipinos in favor of enfranchising the Moros, with the right to elect their own provincial governors. I feel sure that if the Philippine Legislature were empowered to do so it would immediately grant to the Mohammedan Filipinos the right to elect their own governors and legislators. Since, however, the sole power to accomplish this result is vested in the United States Congress, I would heartily approve an amendment to the present organic law of the islands which would enfranchise the Moros and permit them to elect their own legislators and governors with precisely the same freedom of choice as that now enjoyed by the Christian Filipinos. The gentleman from New York has asserted that the Mohammedan Filipinos wish American governors. If so, they could certainly choose such governors if given the ballot. Such a course would be completely in harmony with American principles of government and also with the principle advocated in the interests of justice and fair play.

The adoption of such legislation would also do away with the charge that has been made that the Christian Filipinos claiming the right of self-determination themselves have no hesitation in forcibly imposing their will upon the defenseless Mohammedans of the same race. This charge is indeed strangely misleading. Under the present system of government as provided in the Jones law the Governor General of the Philippine Islands is the only one having authority to appoint officers for the government of the Moro Provinces, and he it is who also has the power to appoint senators and representatives for these Provinces to the Philippine Legislature. If the qualified Moros have not been intrusted with positions of responsibility in the government it is not our fault, but that of the official who by law holds the appointing power.

The appointed senator and representatives for the Moro Provinces are enjoying in the legislature all the rights and privileges of those elected by popular votes. The Mohammedan Filipinos appointed by the Governor General to membership in the senate and house of representatives are serving on important committees of the legislature. Therefore no one can charge that the Christian Filipinos are depriving the Mohammedans of the opportunities to act in behalf of those whom they represent.

Great stress has been laid upon the terms of an agreement which was entered into between Brig. Gen. John C. Bates and the Sultan of Sulu and other Moro officials. The Sultan of Sulu so called in fact has no standing as a sovereign before any nation, and his only claim to the title of "sultan" at the time of this agreement or at any other time rested in the fact that he arrogated it to himself. Furthermore, on March 21, 1904, President Roosevelt abrogated this agreement because of the recognition which it gave to polygamy and also because the Sultan failed to preserve order in Sulu. Hence any attempt to predicate obligations on the part of the United States as a result of the agreement must fail since the agreement itself ceased to exist by virtue of President Roosevelt's action. Furthermore General Bates was at no time the constitutional representative of the American people authorized to make pledges of such a character on their behalf.

Whatever value of any sort may at any time have attached to the so-called Bates agreement it is certain that the Congress of the United States, on behalf of the American people and by virtue of its constitutional authority, made a solemn pledge in the preamble of the Jones law on August 29, 1916. This congressional action superseded whatever had occurred previously and definitely set forth the attitude of the American people toward the Filipinos. A pledge of this character must be sacred both to the American people and to their representatives. It has always been America's stand as evidenced by her participation in the World War that powerful as well as weaker nations must respect treaties and fulfill the obligations

arising therefrom. I trust it may not be out of place for me at this point to remind the gentleman from New York, who is so deeply concerned regarding the unauthorized pledge of General Bates to the Mohammedan Filipinos long since abrogated, that it is high time to bear in mind the sanctity of the pledge made to the entire Filipino people in the preamble of the Jones law.

It is true that from time to time during past centuries there have been isolated regional disturbances among the Filipino people. During all history, however, peoples have contended in arms against each other but hatreds temporarily resulting therefrom do not continue indefinitely. England and Scotland fought for years, yet to-day are in absolute peace and closest harmony under one flag and one sovereign forming the key-stone of the British Empire. Great Britain and France, in spite of centuries of strife, were united in their effort against the common foe during the Great War. The Filipino people to-day, whether Christian or Mohammedan, are inspired by the single thought of the welfare of their common country. Surely, the American people will not adopt a policy regarding the Philippines similar to that which has subjected Poland to such misery in the past! In the treaty of Paris the territorial and political boundaries of the Philippines over which the American people were to exercise their sovereignty were clearly defined; and in the Jones law, in which the solemn pledge of this Nation was stated as to the political future of the islands, these boundaries were also definitely set forth. The obligations assumed by the United States apply to the entire Filipino people and not to any particular portion of them. The Philippine problem is an American responsibility and its just solution an American obligation. The pledge of the United States as to the ultimate destiny of the Philippines is one that in justice can not be divided.

The territorial dismemberment of the Philippines is against the traditional policy of the United States. This nation fought for its territorial integrity and will never initiate or consent to the territorial disintegration of any country, and much less of the Philippines. This is the hope and faith of the Filipino people.

It has been stated that conditions in general in the islands during the period from 1903 to 1913 were markedly superior to those existing during the period from 1913 to the present time. With all due respect and regard for the gentleman making this statement, and also for the officials in control of the Moro provinces during the period from 1903 to 1913, I desire to insert in the records the following figures concerning public instruction, sanitation, roads and highways, and the preservation of order:

TABLE No. 1.—Number of encounters of United States Army from 1903 to 1913, and the constabulary from 1914 to 1923, against the Moros; number of casualties and their yearly average.

	Encounters	Casualties	Average encounter per year	Average casualties per year
From July 15, 1903, up to December, 1913 (a period of 10 years.)	152	1,565	20	208
From January, 1914, up to Oct. 1921 (a period of about 8 years)	20	373	3	63
From Oct. 16, 1921, up to 1923 (a period of almost 2 years)	25	163	9	89

TABLE No. 2.—Partial expenditure for the promotion of public sanitation, public highways, public education, and yearly aid of the Philippine Government to the Moro Provinces—Agusan, Bukidnon, Cotabato, Davao, Lanao, Sulu, and Zamboanga

[From the Reports of the Insular Auditor of the Philippines]

Year	Sanitation and inspection	Maintenance and upkeep of public highways	Public education	Aid from insular government
1903 to 1913	(1)	(1)	(1)	(1)
1914	₱39,683.99	₱69,364.50	₱133,304.48	₱101,912.99
1915	91,862.46	69,490.41	187,558.13	176,460.77
1916	(1)	115,338.74	(1)	128,556.27
1917	109,850.62	196,563.34	334,825.01	281,506.15
1918	114,680.24	205,972.01	339,816.29	1,812,134.15
1919	123,372.87	196,750.35	150,879.62	1,724,947.97
1920	134,248.13	153,970.76	176,093.32	1,486,669.97
1921	124,321.83	234,930.20	164,179.89	1,148,036.01
1922	155,379.36	335,576.01	143,692.39	935,507.71
1923	143,382.30	301,983.42	156,207.74	754,965.05
1924	179,149.05	437,749.53	219,702.19	1,509,011.87

¹ No data available.

NOTE.—A peso of the Philippines is equivalent to 50 cents currency of the United States, or half a dollar.

TABLE NO. 3.—Number of schools in operation, number of teachers, attendance, and enrollment since 1903 to 1924
 [From the Annual Reports of the Director of Education of the Philippines]

School year	Number of schools in operation	Number of teachers	Average daily attendance	Annual enrollment
1903-4	49	69	1,582	2,114
1904-5	53	89	2,033	3,617
1905-6	57	94	2,621	4,235
1906-7	58	86	2,842	5,140
1907-8	60	86	2,675	4,646
1908-9	57	96	2,900	4,862
1909-10	57	93	2,791	4,895
1910-11	54	93	3,013	5,042
1911-12	60	99	3,807	6,427
1912-13	72	116	4,535	7,568
1913-14	80	125	5,396	8,615
1914-15	153	311	(?)	114,800
1915-16	182	371	9,913	16,865
1916-17	(?)	(?)	(?)	(?)
1917-18	304	778	16,114	26,121
1918-19	374	968	19,953	34,268
1919-20	507	1,049	31,163	47,467
1920-21	624	1,367	39,801	57,398
1921-22	702	1,340	46,443	63,984
1922-23	701	1,471	46,675	65,007
1923-24	699	1,541	46,485	66,077

¹ Report of the Governor General of the Philippine Islands, 1914.

² No data available.

According to these figures, the administration of the Moro Provinces during the period from 1903 to 1913, inclusive, suffers by comparison with that from 1914 to 1921, inclusive; and this period from 1914 to 1921 shows better conditions than those existing from 1921 to date.

Retrogression in the administration of the Moro Provinces to those conditions existing prior to 1913, as advocated by the gentleman from New York [Mr. BACON], would be a blow to the progress accomplished in that part of the Philippines.

No mention whatever has been made regarding the massacre of Mount Daho, which aroused indignation on the part of the American people. Aside from this reference, I have no desire to make any comment on the massacre of Mount Daho. It is but fair to all parties concerned to leave to history the verdict on that important event. Let posterity pass judgment on those who participated in it.

The gentleman from New York has discussed at some length the fundamental antipathy which is supposed to exist between Christians and Mohammedans. It is a matter of regret that so delicate a question has been thus brought to public attention. Religious liberty exists in the Philippine Islands and is fully guaranteed by laws enacted by the Philippine Legislature. No instance can be cited where anyone in the islands has been molested on account of his religious belief. We are fully aware that true political freedom is impossible without religious liberty; this principle is indeed the corner stone of all free communities. The Filipino people respect alike the Mohammedan, the Catholic, the Protestant, and all others irrespective of their religious attitudes. They know full well that this question is and must always be outside the sphere of governmental action. We esteem the man and woman within our confines for their usefulness to the community and not for their religious belief. The doors of our homes are open to all men alike and this sentiment of mutual tolerance is now universal among the Filipino people. Any attempt to excite religious prejudice among millions of people of whatever beliefs is surely to be regretted. Broad statesmanship and true Americanism must condemn such a course. The Turks during the World War attempted to call to their standard the whole Mohammedan world. This proved a failure, for the spirit of this age is not such that a religious issue can overshadow or have any part in deciding the political welfare of nations. Throughout hundreds of years millions of lives have been sacrificed for the realization of this truth, but it is now firmly rooted in the hearts of mankind.

There is not now nor will there be any religious strife between Christian and Mohammedan Filipinos. The few Christian Filipinos who have been appointed governors in some of the Moro Provinces have strictly refrained from interfering in any way with the religious beliefs of the Mohammedan Filipinos. The senator and representatives appointed by the Governor General to represent the Moro Provinces in the legislature were allowed to take the oath of office upon the Koran, in accordance with their own religion. This will show that religious differences between the Mohammedan and Christian Filipinos are not in any way an obstacle for a mutual understanding and brotherhood among them.

From certain sources the statement is frequently issued throughout this country that the Philippine Legislature has proven a complete failure. While these critics of the Filipino people offer no evidence in support of this contention, it is worth while in answer to their statements to quote the words of the former President of the United States, Hon. William Howard Taft, who, on account of his intimacy with conditions in the islands while governor and Secretary of War, is especially well qualified to speak on this matter. In his report on the Philippines and their political future with special reference to the policy which has been pursued there, he said as Secretary of War in charge of the affairs of the islands the following words:

The conditions in the islands to-day vindicate and justify the policy. It necessarily involves in its ultimate conclusion, as the steps toward self-government become greater and greater, the ultimate independence of the islands; although, of course, if both the United States and the islands were to continue a governmental relation between them like that between England and Australia, there would be nothing inconsistent with the present policy in such a result.

Later he said:

Thus far the policy of the Philippines has worked. It has been attacked on the ground that we have gone too fast, that we have given the natives too much power. The meeting of the assembly and the conservative tone of that body thus far disclosed makes for our view rather than that of our opponents.

These official statements were made in 1907, but it would be exceedingly strange if the Filipino people have retrogressed since that time.

As to the assertion that the Filipino legislature composed of Christian Filipinos has neglected its duty toward the Moro Provinces, I wish to call the attention of the House to the fact that in 1914 the sum of 204,523 pesos was appropriated as a contribution to the expenses of the government of these Provinces. Later the legislature appropriated the sum of 1,000,000 pesos for primary schools in the Moro Provinces; and many other statistics showing similar appropriations could be furnished as evidence of the care and regard which these Provinces have been accorded.

The most responsible leaders of the Mohammedan Filipinos have acknowledged the keen interest which has been taken by their Christian fellow countrymen in the welfare and advancement of the Moro Provinces. For example, Senator Hadji Butu, for 20 years prime minister to the Sultan of Sulu, made the following statement on February 28, 1920:

I can assure you that the people of Sulu are entirely satisfied with the actual state of affairs, and always will be so if the government of Sulu should be entrusted to Filipino hands. Those of Sulu prefer that the governor of the Province should be a Filipino, because if a Moro were nominated he might be partial in his administration. My people wish for and are in conformity with independence (of the Philippines), and when that is conceded I can assure you that nothing will happen between the Moros and the Christians; not only now, while the majority of the Moro race is uncivilized, but also when the Moros shall have embraced civilization.

Mr. Frank Carpenter, ex-governor of the Department of Mindanao and Sulu, who served under the administration of ex-President Taft and the succeeding Governor Generals of the Philippines, in his report on March 26, 1918, said:

Law and order now obtain throughout Mohammedan Philippine territory, but popular compliance and cooperation are as yet only tentative and easily lost. They may be firmly established only in the course of time and by constancy in the present policies of responsible authorities in Manila, conscientiously and correctly executed by local officers who establish themselves in the hearts of the people through invariable kindness, respect for local customs, religious ceremonies, and faith, absolute honesty, and justice in both official and private relations.

Neither Mohammedan nor pagan Filipino has national thought or ideals. They are now yielding to a policy of attraction directed at them as substantive Filipinos, and if they do not come directly into increasing and eventual absolute homogeneity with the highly civilized Filipino type the fault will be of the latter. The more intelligent leaders of these Mohammedans and pagans have a glimmer of light as to the advantages and necessity for unity on a more comprehensive basis, without religious distinctions, approximating national existence.

* * * * *

And further he said:

The Mohammedans are beginning to realize that the Christian Filipinos holding government offices are rather devoting their time to the fulfillment of their duties for the benefit and welfare of all the inhabitants under their control, regardless of the religious beliefs of the latter.

* * *

These are but a few excerpts from the many writings of responsible Americans regarding the Philippines which could be cited as against the affirmations of those who have visited the islands for two or three months only, yet who seem to feel that they have acquired a complete knowledge of the Filipino problem and its solution.

Disintegration of the territory of the Philippine Islands can serve no useful purpose but, on the other hand, will greatly complicate a fair and proper adjustment of the present situation. I am confident that this Nation will not follow any suggestion for the adoption of a measure which "would retrace our steps to 1913."

Progress and not retrogression will be the watchword of the United States in its dealings with the Philippine Islands. [Applause.]

Mr. MADDEN. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. SWING].

Mr. SWING. Mr. Chairman and members of the committee, this deficiency bill carries two important items for the benefit of communities in the State of Arizona, one of them in the sum of \$637,000 and the other item in the sum of \$50,000 for river-front work on the Colorado River along the Yuma reclamation project.

I am glad, indeed, to see these items in the bill as I think it entirely appropriate that the Government should assume responsibility for the flood problem on that river. I say this notwithstanding the fact that Arizona is the only one of the seven Colorado River Basin States which has refused to cooperate with her sister States by ratifying the Colorado River compact, and by her refusal has made impossible thus far the permanent development which would completely remove this flood menace in the entire lower basin.

These items, approaching \$700,000 in amount, are made necessary because this Arizona community, like other communities in the lower basin, has heretofore been, and now is, dependent upon the construction and maintenance of levees for their protection against the flood waters of this river. The levee system on this river is an insecure and undependable as well as an expensive method of controlling the floods.

In the first place, the levee system can not be depended upon because of the violent fluctuation of the river itself, it varying from 2,000 second-feet in low season to 150,000 to 200,000 second-feet in high-water seasons. The flood waters come from the melting snows on the plateaus and high mountains of Wyoming, Utah, and Colorado. The height of the water in the river in flood season is not dependent alone upon the amount of precipitation in the drainage area, but upon the rapidity with which the snow melts. It depends much upon the weather. You can have a snowfall of less than the average and yet you can have a very destructive river if the summer heat hits the snow early for a prolonged hot spell and sends it down the river all in a short period of time.

The river brings down an immense quantity of solid material each year which it deposits in its lower basin channel. In low flow, when the current is slow, this silt is dropped on the bed of the river and slowly chokes up its channel. Then, if high water comes suddenly before the river has had time to scour out its bed, the flood waters are very likely to overtop its banks.

In the second place it is nearly impossible to stabilize the river bed in a fixed channel, because the whole country through which it is running is delta land. The soil came there with the water in the form of silt and it readily dissolves again in the water and floats away. This soil is unable to withstand the erosion that would come from any considerable current washing against it. Therefore, even with levees too high for the river to top and with the levees rock revetted to prevent erosion, the river sometimes scours out its own bed deep enough to permit it to undermine the levees and cause them to tumble in and wash away.

I am calling your attention to this situation now because half the flow of the Colorado River has been pouring through a break, one-half mile long, in the levees below Imperial Valley. It has inundated to date approximately 30,000 acres of land. The photographs and newspaper clippings, which I placed upon the bulletin board, tell the story for themselves. Fortunately for us that land is in a foreign country and not in our own United States; but this is a mere accident. The break could have happened higher upon the river and the flood then would have been into the Imperial Valley in the United States.

The break this time came 30 miles below the international boundary line and just over the Hog Back that separates Imperial Valley from the Gulf of California, so that the water after it had gotten out of the river bed flowed west and south in the direction of the Gulf. Had the break in the

levee happened at a point 10 or 15 miles nearer the boundary line the flood would have been on the northern side of the Hog Back and the flow of the waters would have been northward and back toward the Imperial Valley, and with only one set of levees between it and 60,000 people and all they possess and 400,000 acres of the most fertile farm lands in the world.

Another fortunate thing is that the break happened when the river was only at 65,000 second-feet. It reached its peak shortly after the break with a flow of 73,000 second-feet. If the river had been what it has been in many years, 150,000 second-feet or 200,000 second-feet, as it was once, even though the break was where it did occur, the quantity of the flood waters would have been such that it would have been bound to have turned north toward Imperial Valley because the greatest slope is toward the north; the fall of the land into Imperial Valley is a greater drop than the fall toward the Gulf of California by more than 3 to 1.

So I am here to sound a warning of the necessity of taking prompt action to permanently curb and control this river before a concurrence of events happens where the break would be at a more vital place and where the river would be at a greater flood, which would probably result in a terrible catastrophe, destroying an entire community. These breaks have happened before and they are bound to happen again unless we move to prevent them.

In 1905-6, for 18 months, the entire river flowed into Imperial Valley and created the inland Salton Sea, which remains to this day as a reminder of the millions of dollars of damage the river did at that time.

In 1914 Volcano Lake Levee was breached and for days more than 10,000 cubic feet of water per second flowed through the levee into Imperial Valley, doing many thousands of dollars of damage.

In 1916 the flood waters were 2 feet deep in the streets of the city of Yuma, Ariz., threatening its destruction.

In 1918 the Ockerson Levee, which had originally been built by the Government and later repaired by the Imperial irrigation district, was breached in two places. The flood water, however, was successfully turned westward into Volcano Lake, but not until after several thousand acres of land had been inundated.

In 1919, before the river was turned into Pescadero Cut, the levees were again breached and 4,000 acres of land inundated before the opening could be closed.

In 1922 the river broke into Polo Verde Valley, inundated 30,000 acres, including the town of Ripley, destroying much property, and doing a large amount of damage.

In 1925, with only 50,000 second-feet of water in the river, it undermined the levees in two different places and destroyed several hundred feet of river-front protective works.

Friends, there is just one thing certain about the Colorado River, and that is its uncertainty. In its present uncontrolled condition no man knoweth the day or the hour or the place where it will attack.

The course in which the river has been flowing is the last depression leading to the Gulf. The silt which the river is carrying into that depression will fill it, according to engineers' estimates, in seven or eight years. Then, the natural tendency of the river will be to swing northward toward the Imperial Valley, with ruin facing that community. It is going to be a race between the Government engineers and the river to see whether the engineers get it under control before it gets into Imperial Valley. I have been sympathetic to the discussion that has gone on here in days past to find a solution for the farm problem, and I voted to do something for the farmers who are threatened with the loss of their profits after the year's work was done. I want to tell you that the problem that confronts the people living in the lower Colorado basin is also a farm problem. But their problem is not merely to find a way to save the profits on their year's work, but to save their life earnings, their homes, everything they possess as well as the community in which they live.

The United States Government engineers have worked out a solution for this problem which is to impound the flood waters in one great dam in the Boulder Canon of the Colorado River. That would not only solve the flood problem but would turn a natural menace into a national asset whereby it will be possible not only to solve the problem of making safe the communities in the lower basin of Arizona and California but to insure the return to the United States of the entire cost of the works together with 4 per cent interest thereon within a period of 50 years, and thereafter continue to earn dividends for the people.

Mr. ARENTZ. Will the gentleman yield?

Mr. SWING. I will.

Mr. ARENTZ. It is regrettable that the gentleman has not a fuller House this afternoon to whom he can tell the story of the lower Colorado River. It is very important not only to the people who live in the valley but to the Northern States tributary to the Colorado River which has this lifetime catastrophe held over their heads. Not only that, but it will settle the legal difficulties that are sure to arise along the Colorado River as well as save the lives of those who are menaced by the flood waters.

Mr. SWING. What the gentleman says is absolutely true. There are half a dozen problems that will be solved by the enactment of the legislation now pending only one of which I am addressing myself to now. For instance, there can be no more developments anywhere in the Colorado River Basin because the low flow of the stream has all been put to beneficial use. No new project can be started without coming up against a court injunction issued at the instance of those who have already put the water to a beneficial use. The bill now before Congress settles the disputes between six States and makes possible new development for their mutual benefit. Not only that, but it will leave the door open for Arizona to come into the friendly family of States whenever she gets ready to and allows her to participate in the benefits on the same basis as the other six States do.

Mr. MANLOVE. Will the gentleman yield?

Mr. SWING. Yes.

Mr. MANLOVE. From the way you have explained it, I feel that this is a matter of great concern for the whole country, and not one merely for the States in the Colorado River Basin. Although my State will not benefit directly, I want you to know that I am deeply interested in your problem.

Mr. SWING. I thank the gentleman for his friendly expression of interest.

The engineers who have given a lifetime study to this problem have recommended this solution to the Congress. The Secretary of the Interior has indorsed their recommendation. Secretary Hoover, who was appointed by President Harding to make a special study of the problem and to act as the Federal representative on the Colorado commission, has given it his backing, and President Coolidge himself, after going into the matter thoroughly, has recommended its enactment. The Committee on Irrigation and Reclamation has considered it carefully, and I have reason to believe that the committee early in the next session will report the bill favorably for action by the House.

But the point I am trying to make, and the impression I want to leave with you, is that the river has given us a warning—a timely warning, I hope—and we should act in this matter while there is time to act in an orderly and businesslike way, instead of waiting until the catastrophe is upon us and then rush helter-skelter and in a haphazard manner spend many times the amount of money we need to accomplish the thing we want done. If we are going to act at all, let us act before great damage is done, before millions of property have been destroyed, before lives have been lost, perhaps, and before great communities have been wiped out of existence. The people who live in the lower basin appeal to Congress as the only agency that can solve this problem, because it involves an international question, because it involves an interstate question, because it involves the Federal problem of flood control and the Federal problem of reclamation.

In the name of these 100,000 people—good, honest, American citizens—in the name of these people who have labored and created thriving American communities, I appeal to you to act, to act while there is yet time to save them and their homes. And if we act wisely and promptly we may prevent a great catastrophe being charged up to our indifference, our neglect, and our delay. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield now to the gentleman from Ohio [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, ladies, and gentlemen of the House, I did not intend to express myself on our foreign debt settlements except by my vote. I had hoped to support all these proposed settlements if possible. In view of the criticisms received from some quarters, I feel, in fairness to the good people who have sent me here and in fairness to myself, that my vote should be explained. My attitude toward the settlement of our foreign debts was well known throughout my district. I have not broken my pledge to my people; I have kept my promise. In the brief three years' time that I have had the privilege of serving as a Member of this great law-making body I have tried to square my vote with my conscience and best judgment at all times. As a Representative of the American people I consider my first duty to them. I would not utter an unfriendly word toward, or intentionally do an injustice, to a friendly nation. I could not convince

myself that the taxpayers of my country or district desire that I vote for debt settlements releasing foreign governments from a large part of their obligations. I tried not to be swept from my feet by sentimental arguments, but endeavored to solve these questions with a cool and deliberate judgment, free from prejudice or sentiment. These great problems concern not only the people of the debtor nations but all the people of the United States. After carefully listening to the debate and studying the questions involved, I honestly believe that the settlements negotiated with the Kingdom of Italy and the proposed settlement with France are unjust and unfair to the American taxpayers and not in accordance with the capacity or ability of those nations to pay.

During and after the late World War our Government loaned several billion dollars to foreign nations. We should not forget that our Government borrowed from our people the money which we loaned these European nations, and that we must repay this money, principal and interest. We must redeem our Liberty bonds, which were issued for the money we borrowed to make these loans. In the last analysis every dollar of our foreign debts that we remit or cancel must be paid by the Government of the United States, which means that the people of the United States will be taxed to make up the amounts lost by these gigantic gifts to our foreign debtors. In making the loans a contract of payment was made, and I believe that contract should be kept with the same faith that the law of this country demands of individuals. Contracts between nations ought to be as strictly kept as among individuals.

The amount of the Italian debt was \$2,042,000,000; the present worth or cash value of the settlement to our people is \$538,000,000, or a virtual cancellation, or gift, of \$1,500,000,000 to Italy. The settlement with Italy granted a virtual cancellation, in my opinion, of 75 per cent of the debt which they owe us. Under the terms of the settlement the Italian Government will pay us no interest for five years, while the people of our country are glad to borrow money at from 6 to 10 per cent interest. I have heard much sympathy expressed for the taxpayers of that country, and others. Is it not time that the American taxpayer should also be considered? I wonder if the American people fully realize how generous this Congress has been to some of our foreign debtors, and at the expense of the American taxpayers? Our people will never approve this gigantic gift to the Italian Government at their expense—once they fully understand it. We have canceled as much as 75 cents on the dollar in some instances. In fairness and in justice to the American taxpayers should we cancel 75 per cent of the debt of any country? Our generosity will result in a greater tax burden being placed on the backs of our now overburdened American taxpayers.

We loaned Italy \$1,600,000,000 of the taxpayers' money of this country. This amount, with interest that has accrued, makes the debt now \$2,042,000,000. Under the terms of the settlement for the first five years, or until 1930, no interest is charged against the Italian debt or the Italian taxpayer. During that time only \$5,000,000 a year is to be paid us on the principal. The Italian Government gets \$16,000,000 in German reparations this year, or three times as much, and more, than she pays us. During the next five years they pay us \$25,000,000, and they get from German reparations a total of \$134,000,000. From 1930 to 1940 they pay us one-eighth of 1 per cent interest; from 1940 to 1950 one-quarter of 1 per cent; from 1950 to 1960 one-half of 1 per cent; from 1960 to 1970 three-quarters of 1 per cent interest, and from 1970 to 1980 1 per cent interest, and for the last seven years 2 per cent interest. This makes an average of forty-two one-hundredths of 1 per cent interest per annum that they are to pay us. I deny that that is the full capacity of the Italian Government to pay.

During the five years I have mentioned Italy does not pay us any interest and only pays \$5,000,000 per year on the principal, while our taxpayers, during the five-year period, must pay \$400,000,000 on this same debt in interest or in taxes. May I ask again, is that a fair settlement to the American taxpayers? Our people will think more about these things than this Congress has done. I voted against the settlement because I am not going to do the taxpayers of America an injustice if I know it. With the dire distress in my country and district, especially in the farming and mining communities, I do not believe that one-third of my people are any more able to pay their taxes than are the people of Italy to pay their taxes. It seems that this term "capacity to pay" is only applied to our foreign debtors—if we do not pay our taxes in America they grab our property and sell it without asking any questions or how much "capacity" we have. I think Italy could have taken some of the war reparations she receives and pay it to the taxpayers of this country who loaned them in

time of need. Our people have as much trouble in meeting their taxes, which are now coming due all over the country, as the people of some of our foreign debtors. I believe this is the wrong policy. We are reducing the burdens of the people of other nations, but adding to the burdens of our own people.

We were asked to cancel three-quarters of the Italian debt, which means an additional tax burden amounting to approximately \$7,000,000 for the American taxpayers in each of the 435 congressional districts of the United States. The terms of this settlement will transfer that amount of taxes from the Italian taxpayers to the people of every congressional district in our country. The friends of the settlement have stated that about 25 cents on the dollar represented the full capacity of Italy to pay. The only question considered was the present capacity of Italy, based on the present facts—not upon future facts but upon present conditions in that country. They have described the destitute condition of the Italian people; let us not forget that there is also destitution among some of the patriotic American people who contributed to the Liberty loans and who must pay the additional taxes for every dollar that we cancel. The money which our Government loaned to Italy was borrowed from our people. I am sure that the many patriotic business, professional, laboring men, and farmers in my district who subscribed to the various Liberty loans until it hurt, will not be given a chance to settle their debts in accordance with their capacity to pay. Our farmers borrowed from our Federal Government under the farm loan act; they are expected to pay; many of them are now unable to pay. Their mortgages are being foreclosed and their homes sold, yet I do not hear one word about settling with the tax burdened American farmers in accordance with their capacity to pay.

It is passing strange that the Italian Government can pay the banking house of J. Pierpont Morgan, of New York City, and other international bankers, 8 or 9 per cent and large commissions, on a loan which they have negotiated amounting to \$100,000,000, and yet they pay our Government only one-eighth of 1 per cent interest. Over \$600,000,000 of the money we loaned Italy was borrowed from us after the close of the war. Why should we consider for a moment the cancellation of any part of that amount borrowed after the armistice? I do not believe the Government of Italy is bankrupt; they make no such claim. Many figures have been presented showing the capacity and incapacity of that country to meet the terms of the settlement. Italy and France were debtor nations before the war. Italy met the situation by sending her laborers out into the world. Many of them came to the United States of America where we, as Americans, believe in a living wage. They secured this wage and they have followed the practice of sending a great part of it back to their mother country.

It has been estimated that the amount returned to Italy by her laborers in this country is, approximately \$150,000,000 annually. The tourists of the world for many years have gone to Italy to gaze upon the grandeur of that great nation and have freely spent their money. Italy receives from \$150,000,000 to \$200,000,000 annually from tourists. Many new industries have been developed and all indications point to the future prosperity and greatness of that kingdom.

She has a great shipbuilding industry; she has a great silk industry; she has a population of over 40,000,000 people; and her national estimated wealth is approximately \$35,000,000,000 to \$40,000,000,000. She will receive several million dollars annually from war reparations. With unlimited water power her industrial development is assured. Italy, under the settlements made with England and the United States, will have an external debt of approximately \$1,210,000,000. If you take the indebtedness of this country—Federal, State, and local—and add to it what is to be saddled on our taxpayers through these foreign debt settlements, our indebtedness would be \$40,000,000,000. Our people pay more than three times the amount of taxes paid by the people of Italy. The people of Italy are paying approximately the same amount they paid during the war. Our taxes have been increased approximately three times since the war, as compared with those of Italy.

In voting against the Italian debt settlement, I did not vote against Italy or her citizens, but voted for America and her citizens, including every naturalized Italian citizen. I voted against adding to the tax burdens of our own people. Our debt to Europe has been paid. We sent 2,000,000 of our boys over there. We raised 4,500,000 men for the Army and Navy for the purpose of prosecuting the war. We furnished and financed virtually \$9,500,000,000 worth of supplies, not only for the Allied governments, but helped feed their civilian population. We took their "demand notes," bearing interest at 5 per cent, for the money we loaned them as per agreement. We entered the great World War to vindicate America's honor;

we saved the Allies from defeat—we went to their rescue in the hour of need. After the war ended and peace came, we did not ask or claim any of the spoils of war. We received no reparations or territory. The war had cost us \$24,000,000,000, omitting these allied loans amounting to \$9,500,000,000. France took her \$5,000,000,000 of war reparations. Many of the European nations extended their domains and made rich territorial gains and wealth.

Our American people played an honorable part and our American taxpayers have a perfect right to ask an honest settlement and fair payment from our foreign debtors. We have their solemn written obligations to repay the money they borrowed from us. We have not tried to exact the full amount. We were willing for some concessions to be made to all of our allies in the World War. We are only asking our foreign debtors to pay to the American Government the money that we must pay to those from whom the Government borrowed this money. Italy has the ability to keep a large army of approximately 220,000 men in active service, with an air force and secondary army, which brings the entire military force of that country up to approximately 5,680,000 men. France is maintaining an army of over 700,000 men. She has been spending millions of dollars in carrying on an unwarranted war. It is not fair that the American taxpayers should shoulder this additional burden while European nations spend their money on large armies and navies that endanger the peace of the world.

Before the late World War the great nations of Europe had been preparing for war; all were ambitious for supremacy and power; all had armed to the teeth and furnished themselves with every modern instrumentality of destruction. At the close of the war those who were victorious took their share of the spoils. America did not ask for anything. These settlements are only the first step in the scheme by international bankers for the ultimate cancellation of our foreign debts. Those who favored cancellation of these debts have already made a splendid start, in my opinion. These settlements are not settlements but only the first step toward ultimate cancellation of all our European war debts. Those who favored cancellation will attempt to reopen these settlements and make additional reductions in the future; this agitation for complete cancellation will be continued.

Prof. Irving Fisher, noted economist and professor of economics at Yale University, has shown the true character of the French and Italian debt settlements from a banking standpoint. His statement is to the effect that the bulk of our war debts have been really canceled and that the French and Italian terms are for but 42 and 21 per cent of the debts they owe us, respectively. Discounted at 5 per cent, the interest which they agreed to pay, his statement shows that the present worth or cash value of the French payments, which are to be extended over 62 years, is only \$1,695,000,000—42 per cent, or a trifle more than two-fifths of the \$4,025,000,000 France owes us. France is granted a cancellation of 58 per cent of her debt. We will receive 42 cents on the dollar under the terms of the French settlement.

According to Professor Fisher, the present worth or cash value of the Italian debt of \$2,042,000,000 discounted at 5 per cent is \$432,600,000, i. e., only 21 per cent of the principal. Italy has 79 per cent of her debt canceled, and the average rate of interest which she is to pay us on her debt is only four-tenths of 1 per cent; that of France is 2.4 per cent. Is that a fair settlement?

We are receiving less from these two countries than they borrowed from us after the close of the war. It has been estimated that under the terms of the Italian debt settlement we are placing an additional and unjust tax of \$14 on every man, woman, and child in the United States, or approximately \$70 on the average American family.

Under the settlements negotiated with 11 European nations we have canceled or remitted more than \$3,025,000,000, which means an average additional tax burden of \$28.33 on each man, woman, and child in the United States, or about \$141.65 on the average American family. If we are going to cancel these inter-allied war debts in whole or in part, why not say so openly and candidly? Why should we put over settlements which are in effect cancellations without telling the American people what we are doing? Why camouflage and conceal the real truth from the American taxpayer? Our action will encourage the militaristic policy of European nations. If our high financiers and international bankers would stop loaning them, they would make an honest effort to settle with our Government. Nations should be just before they are generous.

I have no apology to make for my vote on our foreign debt settlements. Taking advantage of an unjust newspaper article concerning my vote on the Italian debt settlement, much unfair

propaganda has been spread over my district against me. Mr. Chairman and gentlemen, you can not deceive the American people. I shall earnestly try to perform my duty to the people. I have been threatened with defeat in the coming elections for voting as I did. I have tried at all times to square my vote with my conscience and my best judgment. A congressional honor and mantle becomes one of dishonor and shame when purchased at the price of the sacrifice and surrender of independent political thought and manly self-respect. I do not believe the taxpayers of my district, if they fully understand these settlements, are in any frame of mind to make these large donations to our foreign debtors. I am perfectly willing to leave the result of my vote with every fair-minded voter and taxpayer of my congressional district, and I honestly believe they will approve my action. I protest, with my voice and vote, against this additional tax burden on the American people. [Applause.]

Mr. MADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. UPDIKE].

Mr. UPDIKE. Mr. Chairman and Members of the House, first of all I want to express my appreciation to the distinguished gentleman from Illinois [Mr. MADDEN], whose ability and leadership in this House I respect very highly. I was somewhat reluctant to take the floor of this House and call the attention of the Members to the fact that before we adjourn this session of Congress it seems to me that we should give consideration to the Elliott bill for the further relief of the veterans of the Civil War, their widows, and orphans. [Applause.] I have a great deal of respect and confidence in the leadership of this House, and only after due deliberation on my part and only after I am convinced that Congress is about to adjourn without taking up this important legislation did I decide to express myself upon the matter.

If there ever was a class of veterans, widows, and orphans who need the attention of their Government at this time, it is the Civil War veterans. [Applause.] Most of them have passed their eightieth birthday, and most of them are permanently disabled and unable to depend upon themselves for their livelihood. The commander of a great army who fails to care for his troops and treat them properly in time of an actual emergency will always lose and fail to function properly in time of battle; and if a government is to function properly and have men who are willing to sacrifice for her and defend the emblem of her sovereignty she must in turn show her willingness to sacrifice and take care of her noble warriors and defenders in time of peace. [Applause.]

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

Mr. UPDIKE. Yes.

Mr. MANLOVE. It may be of interest to some of the Members of this House to know that the distinguished gentleman from Indiana [Mr. UPDIKE] now addressing the House was one of the gallant soldiers who fought in the trenches of France in the World War. He sustained almost 100 wounds. He lost 3 inches in height by reason of having his backbone shot out. He is one of America's outstanding heroes. [Applause.]

Mr. UPDIKE. Mr. Chairman, we who were fortunate enough to serve this great country on the battle fields of France during the World War have a sympathetic understanding for the men who fought in the Civil War, and we are being taken care of as rapidly as the Government can, especially the disabled, and, of course, you all know the suffering we went through during the great strife; but when you think of the conditions under which the Civil War veterans fought and how marvelously they responded and, again, when you consider after that great war was over they were neglected and some of them were forced to beg in the streets in order to keep body and soul together, and when you consider that they did not receive compensation for the injuries received in the service, as the boys of the late war; and, further, they were never given a bonus and never asked for any for their services, what gentleman would say that these old fellows, who have given up the early opportunities of their lives, just because they have lost some of their usefulness, should be turned away to die without proper care? I am sure this would not be in accord with the spirit of Americanism or the spirit of the American people, who have always stood for fair treatment and justice to all. [Applause.]

Mr. Chairman, the thing that I am concerned about is that when you consider that only a few weeks ago this House passed a bill in 20 minutes under a suspension of the rules authorizing the expenditure of \$165,000,000 for the building of new public buildings in the United States, of which I have no criticism to make, and want to say frankly I voted for and supported the bill because I knew the necessity of the same, yet we are about to deny the expenditure of a few million dollars for the old soldiers of the Civil War, who stood by this Government and sacrificed their blood in the preservation of this Government nearly 61 years ago, when they are only asking the right to a

fair and just pension for the remaining years of their lives, which everyone will agree can not exceed five or six years.

My argument is that the membership of this House should be given the opportunity to decide whether we are going to stand by these poor old men, and I dare say, if given this opportunity, the answer would be unanimously in favor of its passage.

Now, gentlemen, let us honor and respect the dead, but let us not forget the living. Let us wash our hands by this act of justice as we see it in this bill. Let us pay our honest debt of gratitude to those who are deserving and to those who need and will appreciate it, and forever promote and stimulate a new spirit of patriotism in the souls of our future generations. [Applause.]

Mr. BYRNS. Mr. Chairman, I yield 35 minutes to the gentleman from Georgia [Mr. UPSHAW]. [Applause.]

THE FUTURE OF THE DEMOCRATIC PARTY—DEMOCRACY “UNDEFEATED BY DEFEAT”

Mr. UPSHAW. Mr. Chairman, before the curtain falls on this session of Congress, I am yielding to an impulse of loyalty to my party and my country to submit some observations for vacation contemplation concerning “The future of the Democratic Party—Democracy undefeated by defeat.”

It is related that when the city of Toulon rebelled against the victorious forces of the new Republic of France and declared its loyalty to the boy king, a young artillery lieutenant named Napoleon Bonaparte was called into consultation. Studying the map carefully he finally placed his finger upon the fortified citadel above the city and said, “Toulon is there.”

“Very well,” said his superior officer, “go forward on that assumption.” And the daring young genius laid his plans, and seizing upon a stormy night, scaled the heights, stormed and captured the fort, and when Toulon saw the tricolor of France waving above the fort next morning, she lifted the white flag of surrender.

Napoleon had sensed and compassed the situation. The destiny of Toulon was bound up in the mastery of the armed fort.

If somebody were to ask me to diagnose the Democratic debacle of November 4, 1924, I would point to that smoldering heap of dust and débris one time known as Madison Square Garden and say, “November 4 was there.” And when I passed that scene of folly and slaughter a few nights ago, I looked on it with something of happy acquiescence and said: “All right, old spot, you will never again sow the seeds of disaster to the party I love so well.” Verily, Madison Square Garden and that fatal November 4 are inseparable in our melancholy memories for evermore!

In approaching, as Henry Grady used to say, “with a sense of consecration” a discussion of “the future of the Democratic Party,” we must deal in courteous but faithful frankness concerning the elements that entered into the last two presidential defeats—the last one, especially, when there was originally no reason for such a result. Some of our best Republican friends would say, in the frankness of cloakroom fellowship, “Well, I’ll confess this looks like a Democratic year.” And upon my word they said it even after the nomination of the Cleveland convention.

And we might as well look the facts straight in the face; no man can properly weigh Democratic assets without also discussing Republican liabilities. The impartial historian will be compelled to record what we can say now without partisan bitterness—that the Republican Party went into the last presidential campaign with a fearful handicap. In addition to the fact that three Cabinet officers had been forced to resign as the result of an almost national protest, and another high official, almost the equal of a Cabinet officer, had been driven from office under a tragic cloud, five years of unredeemed pledges to World War veterans, and the colossal economic burden of an iniquitous tariff that makes the rich richer and the poor poorer—all these terrific handicaps piled themselves into a seemingly insurmountable barrier across the path of the Republican Party on its way back to the White House.

The Republican leaders faced their stupendous task, to say the least, with anything but radiant optimism. It was no small matter to go before the country with practically the unanimous opposition of the soldier vote of the Nation. Right or wrong—that is not the question now—but everybody knows that the Republican majority played with the soldiers’ bonus for five weary years. If it was right, it should have been passed in 30 days; if it was wrong, it should have been promptly repudiated as a party or national policy. But the party hesitated, vacillated, equivocated—and finally “fabricated” on the question. [Laughter.]

The Republican platform declared for it, and President Harding, three days before his election, affirmed his purpose to

support it; and yet, when a tombstone bonus was finally passed after five years of winking at the soldier vote out of one eye and at Wall Street and "big business" out of the other, President Coolidge vetoed it with the declaration that "patriotism is dead," if such a measure is indorsed.

AFRAID TO MOVE

The whole hesitating, vacillating, equivocating procedure makes me think of the poor fellow down at Columbus, Ga., who had spent all of his living for years trying to cure himself of indigestion. Finally his old grandmother, who had a homemade remedy for every ill, said to him: "Sam, I know you have been having lots of trouble with your 'innards.' If you will take this egg, Sam, and swallow it whole without breaking the shell, it will cure you, Sam; but remember, you must not break the shell before you git it down in your insides; then, Sam, the operation of your digestive organs on the shell will make 'em so tough that they can chew up anything you chew down." [Laughter.]

After great pesteration, perturbation, and strangulation Sam managed to get that egg down just before it choked him to death; and as it fell from that part of his anatomy that connected his corpus with his caput and lodged in the cavity below it grew bigger every minute. He felt that Stone Mountain had been lifted from its eternal foundations and planted within his internal regions. [Laughter.]

His eyes stood out on stems, his breath grew shorter and faster. "Why don't you move off? Maybe it will help your feelings," said a friend standing by. "I'm afraid to move," said Sam. "Afraid of what?" shouted his impatient friend. And Sam replied: "I'm afraid if I move it will break; and if I don't move, I'm afraid the blamed thing will hatch!" [Laughter.]

That was the attitude of the Republican Party on bonus legislation—afraid to move toward the bonus lest Wall Street would break their campaign purse, and afraid if they did not move the soldiers and their millions of friends would pulverize them at the next election.

Thus, too, did the President hesitate and equivocate on the sugar investigation, pursuing the policy of "watchful waiting" until the election was over, and thus again did he hesitate and actually abdicate on the question of the klan.

"This is the third time I have written you, Mr. President, for your position on this klan question," wrote a colored leader in New York; "We negroes have supported the Republican Party for more than 50 years, and we have a right to know how you stand on this here Ku-Klux Klan."

But Calvin Coolidge shut his lips and shook his head. And then a "Hoosier" patriot grew rantankerously impatient. "We've simply got to have an expression from you, Mr. President, on this klan question. Indiana hangs in the balance."

And then "that little bit of Vermont granite," as Raymond Robins called him, found a voice, and that cautious voice said, "Bascom, you are my secretary; you answer that."

And the wise and genial Bascom wrote:

MY DEAR MR. BLANK: I have your letter to the President. His position is so well known on this klan question—

Goodness gracious, how on earth did it become known? For he had never told a soul—

I count it unnecessary to make any deliverance upon it. I will say this, however, that he does not belong to the klan and is opposed to some of its methods.

I have the honor to be, sir,
Your obedient servant,

BASCOM SLEMP,
Secretary to the President.

Or words to that effect. But, the presidential candidate, never a word! [Laughter.]

THAT WILY MOHAMMEDAN PRIEST

All of which made me think of that canny Mohammedan priest who came out from his cloister, after the manner of his kind, bowed and salaamed to his audience, and said: "Know all men what I shall say?" "Yes," they said, "We know," and he answered: "Well, if you already know, I will not tell you."

Back into his cloister he went and soon returned, and bowed again and said: "Know all men what I shall say?" "Nay," they answered, "we do not know." "Then," said the wily priest, "if you do not know, you haven't sense enough to know if I were to tell you." And he went back into his cloister.

Whereupon the congregation agreed among themselves that next time one side of the aisle would answer "Yea" and the other side would say "Nay." And when the priest returned and salaamed again, he asked: "Know all men what I shall say?" One side answered "Yea" and the other, "Nay, we do not know." And then Calvin Coolidge Mohammed naïvely

replied: "Let those of you who do not know, ask those who do know—I will tell you nothing." [Laughter and applause.]

And thus the presidential candidate kept so quiet on the Klan that he evidently got the blessing of the Imperial Wizard and carried the Klan vote in every doubtful State; and then he opened his mouth so wide before the Holy Name Convention here in Washington that he got the blessing of the Pope. [Laughter and applause.]

Shades of political smoothness and shrewdness, thy habitat is among the rocks and rills of New England, and thy name is Calvin Coolidge! But, be it remembered that it was after the nomination of that shrewd scion of Plymouth Rock that our frank Republican friends would good-naturedly make all sorts of confessions in these cloak rooms.

"You win this time," said our genial foes. "We win this time," said our hopeful friends, "if—if—if the national convention don't kick over the bucket in New York." But, oh, my countrymen, you know the tragic story!

"What was the matter?" so many mournfully said. And the answer has come to me from all sections of the Nation, "Too much Madison Square Garden, and too much radio broadcasting of the hoots and howls of Bowery hospitality." This is no fairy tale; this is not merely the simpering whine of defeat; it is the solemn record of tragic history.

WILL DEMOCRACY LEARN THE LESSON?

My chief concern now is this: Will the Democratic Party learn the lesson? I ask this question, not in a captious spirit but with a deep and burning desire to help my party learn.

All over the country I have heard honest, earnest, patriotic people say: "I heard the proceedings of that New York convention. Day after day and night after night my family and neighbors sat around the radio and heard hisses greet the name of a former Cabinet officer who for six years during the Nation's greatest trial handled \$40,000,000,000 without a stain upon his hands. We heard hoots and catcalls greet and drown the name of a great Christian statesman, seer, and prophet who had been 30 years before the American people without a fleck upon his name; and we said as we sat around that patriotic fireside, 'If that is Democracy, we do not want it.'"

And here is the incontestable logic of facts:

For the first time in a generation the American voter failed to rebuke and repudiate the party that put a high protective tariff on the tables and on the backs of the American people. I remind you that when the Dingley tariff was enacted and the people began to pay the bill they retired the Republican Party at the next national election. I remind you that when the McKinley tariff bill was passed and the people began to feel its teeth they not only retired the Republican Party but the good McKinley himself went down in defeat.

I remind you again that when the Payne-Aldrich tariff was put into law and the people felt its high-priced burdens upon their purses and their homes political disaster overtook the Republican Party on the first Tuesday in November.

This plain recital is not made in partisan bitterness, but is the faithful chronicle of events in the economic and political history of the United States. What then?

The Fordney-McCumber tariff is just as vicious from the standpoint of the high cost of living as the Dingley, McKinley, and Payne-Aldrich tariffs were. Why did not the American people visit the same condign punishment on the party that perpetrated it? There is but one answer, and that answer is found in Madison Square Garden. The people—the plain, simple, God-fearing people—said: "Down with our dollars—forgotten are our revenues in an hour like this. We are willing to pay more for our clothes and pay more for the food we eat and the tools we handle if we must swallow Madison Square Garden in order to save a few dollars."

That is the logic of history. "But, ah," answers some stalwart Democrat, "you forget that we gave an attractive platform to the people—safe in economics and wholesome in national ideals, and we nominated for President one of the most brilliant and stainless men ever presented to the American people by any political party!" [Great applause.] Why did not such a combination win?

My answer is ready. "Too much Madison Square Garden! Too much radio!" The people, the plain, everyday sort of American people, with a regnant conscience and a consuming love of home and righteousness, were not able to see platforms or platitudes or powerful personalities in standard bearers. They looked beyond them all and said with the master of Concord philosophy: "What you are speaks so loud I can not hear what you say!" This is Democracy's lesson, written in ashes, in tears, and almost in blood. And I say it reverently—God help my party to hear and heed! [Applause.]

THE NATION NEEDS DEMOCRATIC IDEALS

Thomas Jefferson would not have recognized the party he founded if he had looked through the lens of Madison Square Garden. And the American masses, likewise looking through that lens with Jefferson, failed in that recognition, and the governmental tragedy before high Heaven is the fact that the American people need the economic ideals of Jefferson enacted into law. "Equal rights to all; special privileges to none." You can not beat that as a practical program of economic legislation. [Applause.]

And it is nothing less than the brazen robbery of the toiling masses; it is nothing less than the desperate despair of that great Jeffersonian truth which refuses by legislation to make the rich richer and the poor poorer, to see that great governmental truth shrouded and clouded in the fumes of beer kegs and liquor barrels. This is no pessimistic, puritanical dogma. It is the twice-registered verdict of the American masses.

WHAT OF THE FUTURE?

What of the future, if any, of the Democratic Party? I answer in the paraphrase of what Adoniram Judson, the great missionary to Burma, wrote when his supporting friends back in America became impatient because conversions were so slow. Tediously translating the Bible into the Burmese tongue and translating its saying, regenerating truth with his own heroic life while he toiled seven years for his first convert, that great apostle of light and life who with William Carey, of England, fringed the southern shores of oriental paganism with the beauty and glory of our conquering Christianity, wrote back to his anxious friends: "The future is as bright as the promises of God."

I answer: The future of the Democratic Party is as bright as the shining path of conquering truth, if its titular heads and the rank and file of the Democratic masses are willing to "clean house," not only in platform platitudes, but in the personnel of its leadership and its affiliations.

A BLUE PRINT FOR DEMOCRATIC SUCCESS

I frankly believe that I hold in my hand a blue print for Democratic success, not only at the next national election but for many succeeding elections. Let the Democratic Party rededicate itself to the vital, basic principles of its illustrious founder. Let it seek no party alliance with any set or section that will consider for one moment any surrender of principle for the sake of campaign expediency. Let it never perpetrate another pitiful, inane straddle like both the Cleveland and New York platforms concerning the "enforcement of all law," but let it be brave enough to hit the crime that is palpable in its constitutional defiance, recognizing the startling fact that the enemies of decent, sober, constitutional Americanism are blasting at the very foundations of our Government and challenging the very soul of the Nation itself, and let the Democratic program both in platform and in candidate demand the strict observance and enforcement of the eighteenth amendment and its supporting statute, not in glittering generalities but by specific declaration; not by cringing innuendo and indirect inference but with a ringing, unequivocal pronouncement that will hearten the God-fearing masses of America and electrify the watching world! [Applause.]

This militant program will win for the Democratic Party, and nothing else will.

Nay, nay, says the timorous Democratic soul, with his ears and eyes blinded by tom-toms and beer fumes from the great "wet" metropolitan centers—we will lose New York and New Jersey, Rhode Island, Connecticut, and Maryland if we thus declare our party as sober and as conservative as the Constitution of our country! I answer without hesitation, equivocation, or fabrication that we want New York, but we want New York sober! [Applause.] We want New Jersey, but we want a State that does not glory in two United States Senators, one a Republican and the other a Democrat, each vieing with the other for the crown of greater "wetness." We want Maryland in the Democratic Party, but we want a State that does not glory in the fact that it has never joined its sister Commonwealths in supporting the eighteenth amendment to the Constitution of our country. [Applause.]

And so, if the Democratic donkey ever expects to graze again on the refreshing verdure of the White House lawn he must not stop too long in the big "wet" pastures just mentioned; for if he does, some blind wet politician, caring more for local success than national victory, will load him down with beer kegs and whisky bottles and some "damp" fool candidate will jump astride his back and ride him to a brewery instead of the White House. [Laughter.] Frankly, we covet the Democratic fellowship of our colleagues here who help us in some of our

economic battles, but if they ride the Democratic donkey next time they will have to "run and jump up." We can not stop long enough to imperil our journey with luggage which the American people have constitutionally declared shall never again enter the White House of this Nation. [Applause.]

If, however, some blinking captain of Democratic expediency forgets the lessons of San Francisco and New York, when a servile surrender to "wet" counsels spelled two successive defeats—if he, I say, reminds us of the size of the electoral vote of New York and Pennsylvania, I answer that while "wet" New York and "wet" Pennsylvania are big, "dry" America is bigger. [Applause.] And the flat is written in millions of happy, redeemed American hearts and homes—written, I tell you, on the "burnished ceiling" of the American sky, that no party or candidate that surrenders one inch or atom on this great moral, ethical, and economic question shall ever again be trusted with the reins of government. [Applause.]

EXPEDIENCY DOES NOT DESERVE SUCCESS

Any party or candidate that exalts campaign expediency above a great moral or constitutional principle does not deserve to win. The heroes of history, whose names pierce the ages as they pile themselves upon them, never took counsel with ethical evasions and moral cowardice.

The party of Jefferson faces an even greater opportunity than it did before going to the New York convention. The party in power is greatly weakened from a lack of unity of purpose and legislative achievement. While three Members of the Cabinet have not gone out, such election scandals as Illinois and Pennsylvania have just revealed have shocked the moral sense of the Nation.

I have always contended that there is as much liquor in the Republican Party as there is in the Democratic Party, but hitherto the Republicans have been smart enough to get away with it. [Laughter.] But now no more will the Democrats be cited as holding the "king bees" of wetness within their borders. The poor old G. O. P. elephant, battered, begrimed, and befogged, offers no bantering challenge to the frisky emblem of our Democratic devotion. [Laughter.]

Oh, for a constitutional, sober, militant democracy, too clean and honest to jockey with timeservers, and too broadly and loyally American to demand that an acceptable standard-bearer must come from some doubtful "wet" State up North, whose cardinal qualifications of fitness hinge only on his imaginary vote-getting possibilities—a democracy so all-embracing in its Americanism that its Jeffersonian principles are not hampered by the latitude of birth or the longitude of application! I salute such a triumphant democracy as "undefeated by defeat"—a democracy so all-sufficient in its own dynamic essence as to hold the economic hope of the emancipated masses of America. [Applause.]

I remind you, in conclusion, that the Democratic Party has won only one Presidential election since the Civil War when the Republican Party was not divided, and that was Woodrow Wilson's second election, when the universal dread of war held us and swayed us at the polls.

That division is here again. The very stars in their courses seem to be fighting for our future—if we will only put moral stamina and spiritual considerations above the clash and clatter of material contentions.

At the funeral of that stainless and far-sighted Democrat, William J. Bryan, a brilliant but "damp" New York Democrat leaned over and said to me, with something of a grim smile on his face: "I have only one thing against you." "I know what it is," I answered, and then looking toward the great Comander's flower-laden casket, I said: "But you will have to agree that he and I have been as conservative as the Constitution of our country, and that we have practiced what we have preached." "Oh, yes," he said solemnly; "that is true."

And yet that man is one of those leaders who hope, since Mr. Bryan's death, to dominate the next national convention with the "liquorized" ideals which that great leader fought so bravely and so long.

BRYAN'S DEMOCRACY STILL LIVES

Stay, not so fast, my Democratic comrades, for I swear by the Constitution which he helped to make sober, and by the American flag which he helped to make stainless before the eyes of our children and the eyes of the restless, staggering world, you shall not trample with unholy feet upon the "vocal dust" in William J. Bryan's grave. [Applause.] If one blast from his clarion horn was worth 10,000,000 men while he lived, then that new-made grave in Arlington will wake 10,000,000 God-fearing patriots to defend the deathless principles for

which that great Gladstone of America lived and wrought and died. [Applause.]

It was his lofty ideal that the party that he loved so well should never be the guardian of the defiant liquor traffic, which he helped to outlaw, and it was his great economic dream that his party of human emancipation should build American solidarity, not by protecting the master of wealth at the top, so he could take care of those below, but rather to protect the humble citizen in his worthy aspirations, so he could grow and develop into economic independence; for Bryan believed with Henry Grady when, in his greatest of all speeches at the University of Virginia, he declared concerning those who would build a rich government out of a poor people:

These men, were they intrusted with the management of the solar system, would shred these planets into the sun, and little reek that they had kindled a conflagration that presaged eternal night.

[Applause.]

The future of the Democratic Party is "writ where stars are lit" if its fundamental Jeffersonian doctrine of "equal rights to all and special privileges to none" shall be allowed an untrammelled march to victory, but its "place in the sun" above the White House of the Nation will be forever eclipsed unless it purges itself of that influential leadership which would barter constitutional integrity and national righteousness for the political favor of the great un-American centers of America. [Applause.]

Because I love the party of my fathers and believe in its deathless mission to my country that I love even better; because I love my Southland, beneath the beauty of whose arching skies I rejoice to have been born; and because I am proud of the enriching contribution which the South and its loyal political guardian through many trying years have made to the building of this Nation, I plead and pray for my party's complete regeneration, knowing that the great God-fearing masses of America are positively hungering and thirsting for a ringing utterance in platform and candidate that will thrill with moral majesty. With such an utterance of constitutional Jeffersonian Democracy, the future will be "like the path of the just, that shineth more and more unto the perfect day." [Applause.]

Mr. MADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. MANLOVE].

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

Mr. MANLOVE. Mr. Chairman and gentlemen of the committee, had the great American heart-poet, Henry Wadsworth Longfellow, left to the world only one contribution, his "Psalm of Life," he would have been recorded in the pages of time as a benefactor of all mankind. It is indeed inspiring to contemplate the thought so beautifully expressed in that verse:

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.

Oftentimes I wonder how many of those whom we now call "great" were so acclaimed while in life. History records that too often the brilliancy of genius has been clouded to those who in their everyday walks of life were thrown into close proximity therewith.

With this in mind, I take pleasure in again calling the attention of my colleagues to the fact that we have in our presence one who has given to our Nation a contribution which will stand out as a beacon light of patriotic thought so long as time shall last—for here, on at least one spot of the earth's surface, a government of the people, by the people, and for the people shall live forever.

I refer, as you may well conclude, to the distinguished Clerk of the House of Representatives, Hon. William Tyler Page [applause], the author, and quote his inspiring donation, "The American's Creed":

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

I want to say to my colleagues to-day that, notwithstanding the remarks that have been made claiming inadequate enforcement of law, there never was a time in the district from which I come, a wonderful part of the country, when the people more

ardently loved their country, supported its Constitution, obeyed its laws, respected its flag, or stood more ready to defend it against all enemies either from within or without.

I am not familiar with conditions in the more populous centers, but I take pleasure in stating that the beautiful city of Joplin, Mo., which is my home, is to-day probably the cleanest, with the most law-abiding citizenship, of any city in its size in the United States. [Applause.]

Everywhere throughout my district the people are happier and more contented than ever before.

I come to-day as the Representative of the people of that great district to compliment and thank the author of "The American's Creed," who has given to us an inspiration like this. In order that the world may better understand the soul of our fellow man, I ask permission to insert as a part of my remarks an address delivered by Mr. Page upon the occasion of the graduation at the James Ormond Wilson Normal School in the city of Washington on the evening of June 24, 1926, as follows:

Gentlewomen, your technical training is ended; your practical experience now begins. The superstructure of character is to be reared upon the foundation now laid. You are to do and to be. In whatever sphere your ambitions or destiny may place you there you still will be a unit in society and a responsible entity. There can be no escape for you from an inherent obligation of stewardship.

You will be molders of thought and of public opinion. You have not been brought to your present estate to become mere hewers of wood and drawers of water; nor to that class of women who can not do what they are told to do; nor to that other class who can not do anything else.

How shall you be guided and how shall you guide others?

In one of the Apocryphal books it is written, "Nothing is so much worth as a mind well instructed."

These words to the average person presuppose a developed intellect only. But education must fit for life work and therefore must include religion, must include some knowledge, at least, of the Bible and of the rudiments of religious teaching. Religious education is the great need to-day. Secular education alone produces a lopsided entity.

It is computed upon reliable authority that in so-called religious homes there are over 20,000,000 young people between the ages of 5 and 25 who attend no Sunday school, including 12,000,000 boys and girls of school age. In New York City alone there are 860,000 in public schools, and only 260,000 in the Christian and Jewish Sunday schools, and this is probably typical of the large cities in America. What is the result? It is that crime and immorality is increasing among the young. How can this be offset? It would seem that it could be offset by a greater number of young people being brought within the power and influence of religious teaching. Because we have the testimony of Judge Fawcett, of New York City, to the effect that in the five years he has been on the bench as a Judge he has had 27,000 boys before him for sentence and not one of them was an attendant at Sunday school.

Into your care and keeping in the formative period of their lives will be intrusted not only the minds of boys and girls but their immortal souls and bodies as well, a tremendous responsibility which belongs first to the home and secondly to the church. You can not displace the family life and its influence, but you can supplement it and in part supply its lack, if need be. You can not take the place of the constituted authority of church, but you can be its collaborator and coworker. And thus you may become, as you ought to become, the third, but not the least important side of the triune influences—the home, the church, and the school that mold and train and shape the destinies of the young. Boys and girls of to-day, with unparalleled material advantages and facilities, are more amenable than ever before to strong, virile leadership, and with avidity will respond readily to that reasonable presentation of serious truths which will appeal to the best that is in them. Successfully, however, to build character as well as intellect, you must be to them a living example of what home and church have done for you; in short, a model.

A people is but the attempt of many
To rise to the completer life of one;
And those who live as models for the mass
Are singly of more value than they all.

Keep but the model safe.
New men will arise to study it.

To-day you are at the gateway of life. It is as though you stood, ticket in hand, at yonder railroad station from whence roads lead in all directions. I bid you look up at the inscription above the entrance, writ in large words, and from them take courage and make high resolve:

"Let all the ends thou aimst at be
Thy country's, thy God's, and truth's
Be noble and the nobleness that lies in other men—sleeping but
Never dead—will rise in majesty to meet thine own."

This nobleness is a thing of the heart, and in essence is that reflex of the divine which finds expression in doing the will of Him in whose image we are made.

Paul, a Roman citizen and yet a Jew, who sat at the feet of Gamaliel, whose secular education was complete, whose knowledge of the religion of the Pharisees was incomparable, the world's foremost human preacher of the Christian religion, tentmaker, judge on the Jewish supreme court, apostle to the Gentiles, had this nobleness of heart which overcame all obstacles and made him a great molder of thought and an architect of character.

To the youthful Timothy he prescribed a formula, and I commend it to you for your study, for your own guidance, and to pass on to those who will come under your influence and direction. It is this—

Let no man despise thy youth; but be thou an example of the believers—

In word.

In conversation.

In charity.

In spirit.

In faith.

In purity.

Now, let us briefly analyze this advice of the great St. Paul to his brother in the faith—the youthful Timothy.

Youth was to be no excuse or handicap, so long as Timothy was an example of the believers. The world was watching this youth as it will watch you. He must be a pattern, a copy, something to emulate—an example of the believers worth while following. As a believer he must have a definite belief, must hold fast to that which was good, that which was true and tried and proved by experience; in short, he must have a creed, a "form of sound words."

Then he must be an example "in word." He must guard that unruly member, the tongue—not be a babbler, not given to the use of slang or of the vernacular, or to idle talk and gossip—but to choose his words, to read standard books, and absorb them and take them for his own. We are reminded in an old proverb that—

The spoken word is your master,

The unspoken word your slave.

"Tis better to "talk in silence" than to be a spendthrift of one's tongue, for "talkers are no good doers, be assured."

What the world needs to-day is more mediation and less agitation, more consecration and less controversy.

Next, he must be an example "in conversation." Now, this word "conversation" undoubtedly has a different meaning than mere informal talk. Paul uses it in another place when he wrote "your conversation is in Heaven." And when we come to trace its real meaning we find it really means "citizenship." "Your citizenship is in Heaven." How much better is this meaning. He would have young Timothy be a good citizen on earth by reminding him that he had also a citizenship in Heaven—a dual relationship. That we owed allegiance to Caesar and to God. Not that these were two duties, but one. He must render unto Caesar his things for God's sake.

As a believer he had a duty to the world in which he lived and to the powers by which that world was governed; he must not make religion an excuse for being careless in respect of any earthly duty, in regard to his family, his church, his country, or his business. The claims of Caesar and of God are consistent.

We are commanded to do both—"render unto Caesar the things that are Caesar's and unto God the things that are God's."

The private duty to God is rarely inconsistent with public duty. The secular and religious duty in this life can no more be separated than can the body and the soul as an entity. They are one as the sea is one, yet separate only as the billows of the sea are separate. Our citizenship is twofold, that of earth and of Heaven, in the performance of whose duties they become one duty, submitting to every ordinance of man for the Lord's sake.

Be an example "in charity" is the next specification. This word "charity" must not be confused with almsgiving, itself a commendable thing. But here it has that greater meaning, "love."

Love is kind and suffers long,

Love is meek and thinks no wrong.

The love that comprehends brotherhood, that is forgiving, tolerant, slow to anger. In short, to "be in love" with our fellows, to live in an atmosphere of kindly affection—to love one another with a pure heart fervently. "In spirit." The example should be deep, not superficial, not showy, but natural, flowing out of a well-rounded life unconsciously, a living truth, reflecting the power of God's Holy Spirit—a dynamic force and an imperceptible influence for good upon the lives of others.

"In faith"—faith in God and in His promises. Faith also in your fellows—not suspicious, but trustful, steadfast.

The faith. Clinging to the eternal verities—the faith once delivered to the saints—not blown about by every wind of doctrine, not yielding to man's speculation, but holding fast to God's revelation.

And finally, an example "in purity." Purity of mind, heart, and body. Entertain good thoughts and crowd out the weeds of impurity.

Sanctify your bodies in chastity and make them fit temples for the Holy Spirit.

Thus as an example your own youth or the youth of those who will come under your influence will not be despised by any man and you and they will grow upon this foundation in grace and in knowledge and in favor with God and man.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Missouri yields back five minutes.

Mr. BYRNS. Mr. Chairman, I yield to the gentleman from West Virginia [Mr. TAYLOR] 10 minutes.

The CHAIRMAN. The gentleman from West Virginia is recognized for 10 minutes.

Mr. TAYLOR of West Virginia. Mr. Chairman and gentlemen of the committee, at this particular time I desire to call your attention to H. R. 12702, introduced by me a short time ago, being a bill to provide free transportation to World War veterans who desire to attend the American Legion convention at Paris in 1927.

I distinctly recall the dark days of 1917, and how anxious we were that our boys should go overseas to help save the world for democracy. I remember how thrilled we were when the news first came that 50,000 men were on the high seas en route to France. We were not content to send this number alone. Seemingly countless other thousands were sent across until we had 2,000,000 or more on the soil of France, and there, with their comrades in arms, they stopped the onrush of German troops and freely offered themselves as a sacrifice upon the altars of world democracy.

Next year, when this great convention of the American Legion is held, thousands of these men who sacrificed in 1917 and 1918 will want to go back to meet and mingle once more with their comrades of former years. The passing years since the great conflict have not dealt kindly with many of these and a large number will find that the trip they are now so fondly planning will be prohibitive because of the cost, unless a grateful Government comes to their relief in the passage of this bill.

We have ships and transports which are idly cruising without any definite goal. In my opinion, it would be a grateful thing for this Government to send these men to France again, this time on a mission of peace. Let them visit Paris, let them meet and mingle again with the poilus of France and with the men from every State in this Union who will be in attendance. Let them visit again the battle fields which they made famous and pause beside the grave of a "buddy" where the poppies grow. I believe that such a visitation would tend to a better understanding between the two nations and that there would be woven into the warp and woof of our national being the thread of a better understanding between France and the United States.

Before many of our soldiers were sent overseas in 1917 there were great misgivings as to the ability of our Government to transport a sufficient number of men within the required time. The process of evolving a transportation system was somewhat slow. We lacked training in this regard. The art or the knowledge of transporting men gained by experience during war should not be lost. We should "keep our hand in," so to speak, by sending these soldiers of former years abroad again. It is only by being prepared in this regard that we could hope to avoid the mistakes of 1917 and 1918. The experience gained would be far more valuable than could probably be secured by cruises of our transports and ships in other directions. I believe that this thing could be done for our ex-service men with little or no additional cost.

I am not officially advised as to the attitude of American Legion officers with respect to this legislation. I understand that some months ago the matter of transportation was intrusted to a committee known as the France travel committee. How far they have gone in working out plans for the trip I do not know, but I do know that I have heard from hundreds of the ex-service men and members of the American Legion in several States, and they are enthusiastic over the proposed legislation. I believe that when we return here next December we will have had sufficient interest aroused to approach this subject intelligently and that the bill can be speedily enacted into law if the men themselves so desire. The bill was referred to the Committee on the Merchant Marine and Fisheries, and copies of it are available. It is so short that I give it here:

Be it enacted, etc., That the President of the United States is authorized to provide, upon such terms as he may prescribe, for the transportation, upon such Government-owned ships as he may deem to be suitable for such purpose, from such ports in the United States to such ports in France, and return, as he may designate, of individuals

who were members of the military or naval forces of the United States during the World War and who desire to attend the American Legion convention at Paris in 1927, such transportation to be without expense to such individuals, and meals in transit of such ships to be furnished to such individuals at cost.

I sincerely hope that every Member of the House will give this bill some study, and I am quite sure that your constituents who are ex-soldiers of the World War will be writing you concerning it. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back five minutes.

Mr. MADDEN. 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. HAWLEY, 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. 13040) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1926, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1926, and June 30, 1927, and for other purposes, and had come to no resolution thereon.

Mr. MADDEN. Mr. Speaker, there have been a very great many requests for time on the pending bill, but a good many of the gentlemen to whom time has been allotted are not here, and that is the reason why we are rising so early. But I want to say on behalf of the committee that we are going to ask unanimous consent that we may be allowed to meet on Monday at 11 o'clock, and we give notice now that whether the time promised to anybody is used or not, on account of their absence this afternoon, we will close debate at 5 o'clock on Monday afternoon and we want to finish the bill by 5 o'clock on Tuesday afternoon. We are not going to extend the debate under any circumstances unless the House itself votes to compel us to do it. [Applause.]

HOUR OF MEETING

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet on Monday at 11 a. m.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-night it adjourn to meet on Monday at 11 a. m. Is there objection?

There was no objection.

CONSOLIDATION AND CODIFICATION OF THE GENERAL AND PERMANENT LAWS OF THE UNITED STATES

Mr. ROY G. FITZGERALD. Mr. Speaker, I move to take from the Speaker's table H. R. 10000, a bill to consolidate, codify, and reenact the general and permanent laws of the United States in force December 7, 1925, with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The gentleman from Ohio moves to take from the Speaker's table H. R. 10000, with Senate amendments, and concur in the Senate amendments. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio.

Mr. RAMSEYER. Mr. Speaker, I think the gentleman who is in charge of the bill ought to tell us something about the Senate amendments; and I doubt the propriety of taking up the bill at this time, with so few Members present. We certainly ought to know what the Senate did to this codification bill.

Mr. ROY G. FITZGERALD. Mr. Speaker, there are three amendments to which I desire to call the attention of the House. Two of these amendments are matters which were inadvertently omitted in the preparation of the code. They were supplied by the House committee to the Senate and there incorporated in the bill.

The amendment which would most interest the House is the amendment which strikes out the entire first title of the code and substitutes other language for it. This amendment strikes out the reenacting and repealing provisions and provides that the code shall be evidential only. The bill as it passed the House provided that the code would on July 1, 1927, replace absolutely all the general and permanent laws in force December 7, 1925. As amended by the Senate this codification now becomes simply an evidential document. It is an authoritative statement by Congress of what the law is presumed to be and it shall be considered as such by the courts of the United States and all officials as *prima facie* evidence but as *prima facie* evidence only of the law.

It does not, as did the bill in the House, reenact any of the laws, nor does it, as the bill as passed by the House, repeal any of the laws. The law remains exactly as it is,

but this codification is stamped by Congress officially as the collection in convenient form of the law, *prima facie* evidence only of that law, and always subject to the original statutes.

This amendment was imposed upon the House and the committee of the Senate by the Senate. Without this qualification or amendment it would have been impossible, apparently, for this bill to pass the Senate because the scope of this work is so large and the chance for error is so great that with all the safeguarding provisions which the House has introduced into Title 1, there was still felt apprehension of danger from error, even with the provision for postponement of its taking effect to July 1, 1927, which would permit a session of Congress for the correction of errors to intervene. The Senate felt that still the danger was too great to assume the responsibility of passing a bill of this magnitude and having it absolutely replace all the laws of the United States as was done by the Revised Statutes in 1874.

I believe this gives us a framework on which we can perfect the code and will supply the great need of the bench and bar and the people of the country, and it is certainly a wonderful advance and the culmination of over 25 years of effort and the expenditure of over one-half million dollars.

Mr. RAMSEYER. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Certainly.

Mr. RAMSEYER. As the gentleman knows, I have followed the work of the committee for a number of years with a great deal of interest, both during the time when Colonel LITTLE was chairman of the committee and since the gentleman from Ohio has taken charge, and I know that both Colonel LITTLE and the gentleman from Ohio, who is now speaking, have done a great deal of very fine work. I should like to ask the gentleman a few questions, the first of which is this: There are some private compilations of the United States statutes. I think the West Publishing Co. has one.

Mr. ROY G. FITZGERALD. Yes.

Mr. RAMSEYER. The only difference between such a private compilation and the one which the gentleman is now presenting, is that this codification of the law, if taken into court with reference to any particular section of the code, would be taken as *prima facie* evidence that that is the law. To be absolutely certain about what the law is, you would still have to go through the numerous statutes at large and prove up what the law is; that is, if any question should arise as to that particular section that you are presenting to the court being the law, then you would have to bring in the acts and prove it up.

Mr. ROY G. FITZGERALD. The gentleman is correct.

Mr. RAMSEYER. Does the gentleman think that with the codification in its present state that possibly after a few years of experience with it, if it should turn out that the work is accurate, it would then be possible to pass a law declaring it to be the law of the United States, and that therein probably would be the greatest value of the codification as it is now or as it will be by the passage of this bill?

Mr. ROY G. FITZGERALD. Mr. Speaker, in reply to the gentleman from Iowa, I can say that is exactly what we hope will take place. Either officially or unofficially, if time shows that this work can be relied upon, it will become more and more the exemplification of the law of the United States. The senior Senator from Utah last night asked the same question in the Senate, and the Senator from Pennsylvania, in charge of the bill, said that it is the hope, as time shows the code to be a correct and complete statement of the law, that there will be more chance of both branches of Congress passing an act which will cause the code officially to supersede and positively repeal all other legislation.

I may say for myself and for the committee that has studied this question, we have other ambitions. You see a code bill before you a foot thick, with 1,700 and some pages; but, of course, the leaves are printed on one side only, because the bill is from prints from the type and no plates have been made. Nearly one-half of it, I believe, is taken up with useless matter. When I say that I call your attention to certain of its titles which are filled with repetitions, which are filled with statements of obsolete matter, but they are the law and have never been repealed. You will find there provisions for the decoration of officers in the Indian campaigns. You will find there provisions in regard to Indian agents and many things which have been done away with and no longer exist in the United States. If this committee, of which I have the honor now to be chairman, retains the confidence of the House, it is our intention to present from time to time different titles of this code with real revisions, so that the obsolete matter may be cut out and the law may be stated tersely and clearly.

Mr. RAMSEYER. The last codification was in what year,

Mr. ROY G. FITZGERALD. The codification was in 1874, and a second edition with the errors corrected was published in 1878. That is the last codification we have had.

Mr. RAMSEYER. The gentleman knows that in some of the States there are laws requiring codification of State laws every 10 years. I think in some of the States they have a codification commission that works on it all the time. Has the gentleman or his committee thought of something similar with respect to the Federal laws? From 1876 to 1926 is altogether too long a time to leave the laws uncodified. Our Federal laws ought to be codified at least once every 10 years.

Mr. ROY G. FITZGERALD. The gentleman is entirely correct, and this committee has had in mind to propose to the House and to the Congress a method whereby there may be a sort of continuous codification of the law. That is, a sort of machinery set up whereby the different bills introduced and passed by the Congress may be made to fit into the framework of the code, so that a new edition may be published every five years or so, which will keep the code in a condition whereby there will be little excuse not to know what the law of the United States is.

Mr. RAMSEYER. I think what the committee has done has been a great work, and if the gentleman could bring about something in the line of his suggestion I think it would be a still greater achievement; and I hope he and his committee will keep at that until something along that line is accomplished. Now, one more question. The gentleman has spoken of the Senate amendments and has explained one amendment. How many Senate amendments are there, and what is their nature?

Mr. ROY G. FITZGERALD. I will call attention to one on page 2. It seems almost impossible, as was said last night in the Senate, that the matter should have been overlooked, but in the arrangement of the material by inadvertence the original law and the amendment providing for the legislative counsel were omitted from the code. This was discovered and has been included. The other is in Title 12, Banks and Banking. Part of the paragraph was left out which relates to capital stock of certain corporations. It supplies a deficiency which was discovered and called to the attention of the Senate committee and they have incorporated it in the code.

Mr. RAMSEYER. Is that all?

Mr. ROY G. FITZGERALD. All except the amendments made essential by reason of the change as to the force of the code which I have explained. There are a lot of incidental amendments, mere corrections, where the words "said code" have been replaced by the words "such act." This occurs in several different places but more frequently in the bill I am about to bring up, which provides for the publication of the code. The title is changed. As the bill passed the House it was to consolidate, codify, and "reenact." This amended title is to consolidate, codify, and "set forth." There are several incidental amendments of no force outside of perfecting the text to carry out the amendments.

Mr. RAMSEYER. I shall not object or in any way interfere with the passage of the bill. I wish to congratulate the gentleman and the committee in accomplishing as much as they have.

Mr. MADDEN. Will the gentleman yield?

Mr. ROY G. FITZGERALD. I will.

Mr. MADDEN. I think this is a long step in the right direction. I would like, if it is not considered impracticable or impertinent in one who knows nothing about the law, to suggest that the practical effect of what has been done, if followed up, would result in a very short time in getting a codification of the laws which could be presented as the laws of the land in cases before the court. I suggest that the committee on codification of the laws codify and improve and reenact as far as the committee can, or bring to us a codification of such laws as they can, once in every Congress. They can bring in from this code enough corrected matter during the session of each Congress so that it could complete the work, in my judgment, in three Congresses. Then they would be up to date, and from that time on it would be an easy matter to proceed and keep it current.

Mr. ROY G. FITZGERALD. In reply to the gentleman from Illinois, it is the desire and hope and idea of the committee. We are met with many practical difficulties that one who is not familiar with the work can not realize. The success of this code, if it is a success, is a sort of an accident. Why? Because the House years ago appointed a commission. That commission worked years and years and spent something like \$300,000, and no code ever came from it. We are all familiar with the efforts in recent years of the attempt to enact a code. The stream of legislation is flowing constantly on. It would

take me an hour to illustrate the different propositions and the difficulties which arise in a codification of this kind. The Senate has a special committee, and the matter was referred to that committee. There seemed to be a deadlock between the House and Senate, although the House had passed in three successive Congresses what was known as the Little bill to codify the laws and followed the codification procedure of the Revised Statutes of 1874.

That is, they burned their bridges behind them and reenacted that as a law, replacing all other laws. The Senate would not give the Little bills consideration because they thought there were deficiencies and defects in the bills. Undoubtedly they were right. In the code of 1874 there were about 250 errors discovered afterwards, and yet that bill was passed in the Senate in about 40 minutes and with less discussion than we have had here. And the Senate was justified. It was a monumental work and was of immeasurable value to the people of the United States.

I said this success is a sort of accident. We had a meeting of the committees of the two Houses, and there were brought into cooperation two great law-publishing houses of the United States, whose selfish interests should be against the success of this code, the West Publishing Co., of St. Paul, Minn., which has expended thousands upon thousands of dollars in preparing their own idea of a code of laws of the United States, annotated, and the Edward Thompson Co., their competitors, who had also published a splendid work in many volumes, setting forth their idea of the code of laws of the United States, with annotations. The Senate appropriation was \$10,000. Senator PEPPER, of Pennsylvania, and Senator ERNST asked the presidents of these different companies whether or not they would oppose the Congress in its efforts to codify the laws in an official way. They took a high and patriotic view of the situation and expressed their willingness to cooperate, something they had never done before, and performed this service of taking the Little code and rearranging the material in a modern way, and checking it with their own great works, and prepared a codification which brings it up to the commencement of this Congress. They undertook to do that for this \$10,000, and they have spent over \$30,000 and have had 11 lawyers at a time at work on this matter, with something like 30 to 40 experts and clerks and other workers.

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

Mr. ROY G. FITZGERALD. Certainly.

Mr. TILSON. Under the direction of the gentleman's committee and a like committee of the Senate a monumental work has been done here, I am quite sure, but the gentleman realizes that in the use of such a work as this an index is an absolute necessity. What has been done toward, or what may we expect in the future in the way, in an index of this work, so that it may become readily useable?

Mr. ROY G. FITZGERALD. I have that provided for in the bill H. R. 11318, which I wish to call up immediately after this is disposed of.

Mr. O'CONNOR of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. O'CONNOR of Louisiana. In view of the fact that there has been stricken from the enacting clause the word "enacted," does the gentleman really believe there is any court in the country who will accept that codification as *prima facie* evidence of the law?

Mr. ROY G. FITZGERALD. It so states that it shall be received.

Mr. O'CONNOR of Louisiana. Notwithstanding the gentleman has clearly shown that he does not want it to be regarded as an enactment of Congress?

Mr. ROY G. FITZGERALD. Yes. There is a clear distinction between the bill as it passed the House and as it comes from the Senate, and there is a clear distinction between the Revised Statutes in the seventies, and the bill as it passed the House, and this bill as it comes from the Senate. In the seventies they absolutely burned all bridges behind them, with saving provisions with respect to pending litigation.

In the bill as it passed the House—and this provision was inserted at the request of the Senate—the code was not to take effect absolutely to replace the general laws of the United States in force December 7, 1925, until July 1, 1927, allowing a period of time to elapse for scrutiny of the work and for corrections in the next session of Congress should they be found necessary. The Senate was not satisfied with even that. The Senate felt that the great magnitude of the work and the danger that might flow from errors demand that it receive a scrutiny over a considerable period of time, and in the meantime that it be received only as *prima facie* evidence of the law.

Mr. O'CONNOR of Louisiana. I noticed in the Senate proceedings of last night that it was stated there was not a suffi-

client number of copies extant to meet the requirements of the Senators present. If that report be true, has the gentleman in mind anything with reference to the printing of a sufficient number to meet the requirements of the Members of Congress?

Mr. ROY G. FITZGERALD. In the Senate, although there were but one or two copies of the entire bill, there was printed a number of copies sufficient for every Senator to have one, embodying the first title of the code as it passed the House, and embodying the amendments proposed in the Senate. The bill, which provides for the publication in which the floor leader is interested, was printed in the same way. All these were printed and distributed some time in advance of consideration by the Senate.

Mr. TILSON. Mr. Speaker, referring to the question that the gentleman from Louisiana [Mr. O'Connor] has asked, is not the confusion in connection with the word "reenact"? It was proposed in the original bill as it passed the House to re-enact all laws included there.

Mr. ROY G. FITZGERALD. And to repeal.

Mr. TILSON. And to repeal anything to the contrary. The intention here is not to reenact anything or repeal anything, but simply to enact; and there is enacting language here in the enacting clause to make this *prima facie* evidence of what the law is.

Mr. O'CONNOR of Louisiana. I will say to the floor leader the situation I had in mind was this, that the attorney for the defendant might rise up and question whether or not the codification contained the law, and the *prima facie* rule would be set aside and the burden of proof would be upon the defendant to produce the original law.

Mr. ROY G. FITZGERALD. If the law in Louisiana is as it is in Ohio, when a man questions anything which has *prima facie* force, the burden would be on him to maintain his contention.

Mr. O'CONNOR of Louisiana. Of course, generally that would be the rule, but not under this so-called enactment.

Mr. ROY G. FITZGERALD. That is the effect which we propose and hope to see accomplished. The language is apt enough to accomplish the purpose.

Mr. TEMPLE. Does not this enact that the court shall receive it as *prima facie*?

Mr. ROY G. FITZGERALD. Yes.

Mr. O'CONNOR of Louisiana. I do not want to continue the discussion; it strikes out from the enacting clause the words usually setting forth the idea.

Mr. TEMPLE. The enacting clause is not stricken out. It is there, and it is provided in the enacting clause and what follows it that the court shall receive this as *prima facie* evidence.

Mr. ROY G. FITZGERALD. I perhaps may not have made myself clear. The amendment refers merely to the title, the word "reenact" in the title being changed to "set forth." The laws are "set forth" not "reenacted." The enacting clause is preserved, but its scope is restricted so that the statements in the code are presumptuous of the law, but these presumptions are not conclusive.

The SPEAKER. The question is on the motion of the gentleman from Ohio to concur in the Senate amendments.

The question was taken, and the motion was agreed to.

CODE OF LAWS OF THE UNITED STATES

Mr. ROY G. FITZGERALD. Mr. Speaker, I move to take from the Speaker's table and concur in the Senate amendments and pass the bill (H. R. 11318) to provide for the publication of the Code of Laws of the United States, with index, reference tables, appendix, and so forth.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 11318) to provide for the publication of the Code of Laws of the United States, with index, reference tables, appendix, and so forth.

The Senate amendments were read.

Mr. RAMSEYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAMSEYER. Is this bill on the Union Calendar?

The SPEAKER. The Chair presumes it is on the House Calendar.

Mr. RAMSEYER. It is only a question of procedure as to whether it should be called up by unanimous consent or not.

Mr. MADDEN. Anything making a charge against the Treasury must be on the Union Calendar.

The SPEAKER. The question involved was whether the amendments would have to be considered in the Committee of the Whole House. The Chair is not aware—

Mr. RAMSEYER. All the interest I have in it is to see that it is put through right.

The SPEAKER. The Chair is informed the amendments of the Senate are merely modifications of the House bill.

Mr. ROY G. FITZGERALD. And adds nothing to the expense?

The SPEAKER. It is merely a change of language.

Mr. MADDEN. We considered it in the Committee of the Whole and these are merely amendments.

The SPEAKER. The Chair thinks it would not be necessary to consider it in the Committee of the Whole House. The question is on agreeing to the motion of the gentleman from Ohio to concur in the Senate amendments.

The question was taken, and the motion was agreed to.

A motion by Mr. ROY G. FITZGERALD to reconsider the vote by which the two bills were passed was laid on the table.

ADJOURNMENT

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House, under its previous order, adjourned until Monday, June 28, 1926, at 11 o'clock a. m.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for June 28, 1926, as reported to the floor leader by clerks of the several committees:

SPECIAL JOINT COMMITTEE

(10.30 a. m.)

To investigate Northern Pacific land grants.

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To provide for the acquisition of certain property in the District of Columbia for the park system of the District (H. R. 9343).

To provide for the acquisition of certain property in the District of Columbia for the park system of the District (H. R. 10506).

Authorizing the transportation of all miscellaneous refuse collected in the District of Columbia to the workhouse or reformatory tract near Occoquan, Va., and its disposition at that place (H. R. 10893).

Authorizing the extension of the park system of the District of Columbia (H. R. 11804).

EXECUTIVE COMMUNICATIONS

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

608. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on partial survey of the Tennessee River and its tributaries (H. Doc. No. 463); to the Committee on Rivers and Harbors and ordered to be printed.

609. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1927, amounting to \$7,500 (H. Doc. No. 464); to the Committee on Appropriations and ordered to be printed.

610. A communication from the President of the United States, transmitting a supplemental estimate of appropriation to provide home care for dependent children in the District of Columbia for the fiscal year ending June 30, 1927 (H. Doc. No. 465); to the Committee on Appropriations and ordered to be printed.

611. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department for the fiscal year 1926, to remain available until June 30, 1927, for Moores Creek National Military Park, amounting to \$3,000 (H. Doc. No. 466); to the Committee on Appropriations and ordered to be printed.

612. A letter from the Secretary of War, transmitting a partial report from the Chief of Engineers in regard to abandonment or curtailment of river and harbor projects (H. Doc. No. 467); to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LUCE: Committee on the Library. S. J. Res. 113. A joint resolution authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C., with amendment (Rept. No. 1551). Referred to the Committee of the Whole House on the state of the Union.

Mr. GLYNN: Committee on Military Affairs. H. R. 9912. A bill approving the transaction of the adjutant general of the State of Oregon in issuing property to sufferers from a fire in Astoria, Oreg., and relieving the adjutant general of the State of Oregon and the State of Oregon from accountability therefor; with amendment (Rept. No. 1555). Referred to the Committee of the Whole House on the state of the Union.

Mr. JAMES: Committee on Military Affairs. S. 3615. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age; with amendment (Rept. No. 1556). 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. GLYNN: Committee on Military Affairs. H. R. 1141. A bill to correct the military record of John Dewitt Marvin; with amendment (Rept. No. 1549). Referred to the Committee of the Whole House.

Mr. PORTER: Committee on Foreign Affairs. S. 68. An act authorizing Dominic I. Murphy, consul general of the United States of America, to accept a silver fruit bowl presented to him by the British Government; without amendment (Rept. No. 1550). Referred to the Committee of the Whole House.

Mr. VINCENT of Michigan: Committee on Claims. S. 545. An act for the payment of damages to certain citizens of New Mexico caused by reason of artificial obstructions to the flow of the Rio Grande by an agency of the United States; without amendment (Rept. No. 1552). Referred to the Committee of the Whole House.

Mr. WHEELER: Committee on Military Affairs. H. R. 11542. A bill for the relief of James M. Winston; with amendment (Rept. No. 1553). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 12038. A bill to correct the military record of Edward Delaney; without amendment (Rept. No. 1554). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEAVITT: A bill (H. R. 13067) granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct, maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont.; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER: A bill (H. R. 13068) to amend section 9, cotton manufactures, of the Fordney-McCumber tariff act of 1922; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: A bill (H. R. 13069) to establish the Olympic National Park in the State of Washington; to the Committee on the Public Lands.

By Mr. MILLER: A bill (H. R. 13070) granting the consent of Congress to Henry L. Gray and Elbert M. Chandler, their successors and assigns, to construct, maintain, and operate a bridge across Lake Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Iowa: Resolution (H. Res. 308) to provide for the printing of additional copies of hearings held before the Committee on Ways and Means of the House of Representatives on the bill (H. R. 10820) for the return of alien property; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 13071) for the relief of Alfred S. Jewell; to the Committee on Claims.

By Mr. ARNOLD: A bill (H. R. 13072) granting a pension to Frances M. Funk; to the Committee on Pensions.

By Mr. AUF DER HEIDE: A bill (H. R. 13073) granting an increase of pension to Eliza Heinemann; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 13074) granting an increase of pension to Susannah Swing; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 13075) granting a pension to William E. Quinn; to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13076) granting an increase of pension to Margaret K. Beal; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 13077) granting an increase of pension to Cornelia B. Bacon; to the Committee on Invalid Pensions.

By Mr. DAVEY: A bill (H. R. 13078) granting an increase of pension to Annie E. Curtis; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 13079) granting a medal or other recognition to Arnold Irish, former quartermaster sergeant, Company C, Ninth Infantry, United States Army, at Balangiga Samar, P. I., September 28, 1901; to the Committee on Military Affairs.

By Mr. ESTERLY: A bill (H. R. 13080) granting an increase of pension to Sarah Wenrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13081) granting an increase of pension to Elizabeth Heffelfinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13082) granting an increase of pension to Susan Dubson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13083) granting an increase of pension to Sarah Matilda Troxell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13084) granting an increase of pension to Susan Achenbach; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 13085) granting an increase of pension to Eliza Jane Woods; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 13086) granting an increase of pension to Maryette Vail; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 13087) for the relief of the First National Bank of Santa Maria, State of California; to the Committee on Claims.

By Mr. HASTINGS: A bill (H. R. 13088) granting a pension to Patterson McGeehan; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 13089) granting a pension to Allie Carpenter; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13090) authorizing the President to reappoint John P. Pence, formerly an officer in the Signal Corps, United States Army, an officer in the Signal Corps, United States Army; to the Committee on Military Affairs.

By Mrs. KAHN: A bill (H. R. 13091) for the relief of Ellen B. Monahan; to the Committee on Claims.

By Mr. KELLY: A bill (H. R. 13092) for the relief of Barton H. Newell; to the Committee on Claims.

Also, a bill (H. R. 13093) granting a pension to Mary Murray; to the Committee on Pensions.

By Mr. LEAVITT: A bill (H. R. 13094) granting an increase of pension to Arminda J. Orcutt; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 13095) renewing and extending patent 925301 to James H. Colgrave; to the Committee on Patents.

By Mr. McFADDEN: A bill (H. R. 13096) granting an increase of pension to Olive E. Hinds; to the Committee on Invalid Pensions.

By Mr. MILLS: A bill (H. R. 13097) for the relief of Leonora Simons; to the Committee on Claims.

By Mr. MORGAN: A bill (H. R. 13098) granting an increase of pension to Mariah C. Legge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13099) granting an increase of pension to Sarah J. Prame; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 13100) granting an increase of pension to Hannah L. Welch; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 13101) granting an increase of pension to Ann Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13102) granting an increase of pension to Margaret A. Peterson; to the Committee on Invalid Pensions.

By Mr. STROTHIER: A bill (H. R. 13103) granting a pension to John Maynard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13104) granting a pension to Martha A. McCallen; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H. R. 13105) granting an increase of pension to Katherine S. Lutesinger; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 13106) granting an increase of pension to Mary Cook; to the Committee on Invalid Pensions.

By Mr. TOLLEY: A bill (H. R. 13107) granting a pension to Sarah Williams; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 13108) granting an increase of pension to Sallie Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13109) granting an increase of pension to Lydia Lynk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13110) granting a pension to Ella I. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13111) granting a pension to Clarinda McKelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13112) for the relief of Benton W. Landrum; to the Committee on Military Affairs.

By Mr. MACGREGOR: Resolution (H. Res. 307) to continue the employment of the three session telephone operators from July 1 to November 30, 1926, inclusive; to the Committee on Accounts.

PETITIONS, ETC.

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

2871. By Mr. ADKINS: Petition of sundry retail dealers of the counties of Macon and Champaign, State of Illinois, indorsing the Capper-Kelly resale price bill (H. R. 11) now before Congress; to the Committee on Interstate and Foreign Commerce.

2872. By Mr. ARNOLD: Petition of sundry citizens of Alma, Ill., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2873. By Mr. BACHMANN: Petition of the Croatian Fraternal Union of America, Lodge No. 595, opposing any efforts to control the foreign-born worker; to the Committee on Immigration and Naturalization.

2874. By Mr. BARKLEY: Petition of 125 citizens of Kentucky, requesting the immediate enactment of pending legislation increasing Civil War pensions; to the Committee on Invalid Pensions.

2875. By Mr. BECK: Petition of sundry citizens of Camp Douglas, Wis., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2876. By Mr. BRUMM: Petition of sundry citizens of Gordon, Pa., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2877. Also, petition of sundry citizens of Frackville, Pa., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2878. By Mr. BULWINKLE: Petition of several churches and organizations of Catawba County, N. C., opposing any modification of the existing prohibition laws; to the Committee on the Judiciary.

2879. By Mr. CHAPMAN: Petition of various and sundry citizens of Frankfort, Franklin County, Ky., urging the immediate consideration and passage of Civil War pension bill; to the Committee on Invalid Pensions.

2880. By Mr. COYLE: Petition of sundry citizens of Saylorsburg, Pa., indorsing the bill granting increases of pensions to Civil War veterans and their dependents; to the Committee on Invalid Pensions.

2881. By Mr. DARROW: Petition of 38 residents of Philadelphia, Pa., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2882. By Mr. DAVENPORT: Petition of sundry citizens of Utica, N. Y., asking for the immediate consideration of the Civil War pension bill; to the Committee on Invalid Pensions.

2883. By Mr. EATON: Petition of 65 voters of Trenton, N. J., and vicinity, urging passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2884. By Mr. ESLICK: Petition of Silla Doughty and others, urging passage of Civil War pension bill; to the Committee on Invalid Pensions.

2885. By Mr. FORT: Petition of sundry citizens of Orange, N. J., urging immediate action on the Civil War pension bill; to the Committee on Invalid Pensions.

2886. By Mr. GALLIVAN: Petition of Boston Typographical Union, No. 13, John O. Battis, secretary-treasurer, 819 Province Building, Boston, Mass., recommending early and favorable consideration of the longshoremen's accident compensation bill (S. 3170); to the Committee on the Judiciary.

2887. By Mr. GREENWOOD: Petition of George Everett Howerton and 13 others, of Vincennes, Ind., urging passage of pension legislation, increasing pensions for soldiers of Civil War and their dependents; to the Committee on Invalid Pensions.

2888. Also, petition of Perry H. Easton and 21 others, of Sandborn, Ind., for increase of pensions of soldiers of Civil War and their dependents; to the Committee on Invalid Pensions.

2889. Also, petition of Sebree H. Reeve and 17 others, of Edwardsport, Ind., asking increases of pensions for soldiers of

Civil War and their dependents; to the Committee on Invalid Pensions.

2890. By Mr. HOGG: Petition of 82 voters of Albion, Noble County, Ind., asking for increase in pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

2891. By Mr. HOOPER: Petition of Mayor Charles C. Green and 81 other residents of Battle Creek, Mich., requesting immediate consideration of pending legislation to increase the rates of pension of Civil War veterans, their widows and dependents; to the Committee on Invalid Pensions.

2892. By Mr. KEARNS: Petition of sundry citizens of Greenfield, Ohio, requesting action on the Civil War pension bill; to the Committee on Invalid Pensions.

2893. By Mr. KNUTSON: Petition of M. C. Lambeth, of Texas, asking that immediate action be taken on pension bills for the relief of Civil War veterans and veterans of the Indian wars; to the Committee on Pensions.

2894. Also, petition of sundry citizens of Kelliher, Minn., urging passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2895. By Mr. KOPP: Petition of Anna Griffin and 24 other residents of Riverside, Iowa, asking that increased pensions be granted to the Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

2896. By Mr. LINEBERGER: Petition of M. J. Henney and over 100 other citizens of Los Angeles, Calif., urging passage of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2897. Also, petition of Ida T. Allen and sundry other citizens of Gardena, Calif., urging passage of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2898. Also, petition of A. R. Nisbet and approximately 75 other citizens of Glendale, Calif.; also petition of Mrs. Elizabeth Herman, chairman, and more than 100 others, of Pasadena, Calif., urging passage of bill for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2899. Also, petition of W. M. Peek and about 25 citizens of Long Beach, Calif., urging passage of bill for relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2900. By Mr. McREYNOLDS: Petition of sundry voters of Monroe County, State of Tennessee, in support of the bill for increase in pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2901. Also, petition of sundry voters of McMinn County, State of Tennessee, in support of the bill for increase in pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2902. By Mr. MARTIN of Massachusetts: Petition of sundry citizens of Fall River, Mass., urging passage of Civil War pension bill; to the Committee on Invalid Pensions.

2903. By Mr. MILLS: Petition of sundry citizens of New York City, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2904. By Mr. MURPHY: Petition of sundry citizens of Harrison County, Ohio, in behalf of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2905. By Mr. O'CONNOR of New York: Petition of 35 citizens of the city of New York, urging legislation in behalf of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

2906. By Mr. O'CONNOR of Louisiana: Petition of sundry citizens of New Orleans, La., urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2907. By Mr. PORTER: Petition of sundry citizens of Pittsburgh, Pa., praying the passage of legislation granting an increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

2908. By Mr. RAMSEYER: Petition of sundry citizens of Ottumwa, Iowa, urging that immediate steps be taken to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

2909. By Mr. REECE: Petition of various citizens of New Tazewell, Tenn., urging action on Civil War pension bill at the present session of Congress; to the Committee on Invalid Pensions.

2910. Also, petition of various citizens of Shouns, Tenn., urging action on Civil War pension bill at the present session of Congress; to the Committee on Invalid Pensions.

2911. Also, petition of various citizens of Luther, Tenn., urging action on Civil War pension bill at the present session of Congress; to the Committee on Invalid Pensions.

2912. Also, petition of various citizens of Sevier County, Tenn., urging action on Civil War pension bill at the present session of Congress; to the Committee on Invalid Pensions.

2913. By Mr. SHREVE: Petition of Mrs. Annie Titus and about 50 other citizens of Waterford, Pa., asking for immediate consideration of legislation on the Civil War pension bill; to the Committee on Invalid Pensions.

2914. By Mr. SIMMONS: Petition of sundry citizens of Amherst, Nebr., asking for pension legislation for veterans of the Civil War, their widows and orphans; to the Committee on Invalid Pensions.

2915. By Mr. SINCLAIR: Petition of Mrs. J. D. Benson and 45 others, of Kenmare, N. Dak., urging the passage of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

2916. By Mr. TOLLEY: Petition of 21 citizens of the town of Hardwick, Otsego County, N. Y., requesting the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2917. By Mr. VINSON of Kentucky: Petition of sundry voters of the city of Maysville, in the ninth congressional district of Kentucky, urging the passage before adjournment of Congress of a bill for the relief of veterans of the Civil War, their widows, and children; to the Committee on Invalid Pensions.

2918. Also, petition of sundry voters of the city of Cynthiana, in the ninth congressional district of Kentucky, urging the passage before adjournment of Congress of a bill for the relief of veterans of the Civil War, their widows, and children; to the Committee on Invalid Pensions.

2919. By Mr. VOIGT: Petition of sundry citizens of Sheboygan, Wis., urging passage of the Civil War pension bill; to the Committee on Invalid Pensions.

2920. By Mr. WINGO: Petition of certain citizens of Logan County, Ark., urging that immediate steps be taken to bring to a vote the Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

2921. By Mr. WYANT: Petition of sundry residents of Trauger, Pa., urging passage of Elliott bill (H. R. 4023); to the Committee on Invalid Pensions.

SENATE

MONDAY, June 28, 1926

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

THE VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendments of the Senate to each of the following bills:

H. R. 10000. An act to consolidate, codify, and reenact the general and permanent laws of the United States in force December 7, 1925;

H. R. 11318. An act to provide for the publication of the Code of the Laws of the United States, with index, reference tables, appendix, and so forth; and

H. R. 12208. An act granting the consent of Congress to Aurora, Elgin, & Fox River Electric Co., an Illinois corporation, to construct a bridge across Fox River in Dundee Township, Kane County, and State of Illinois.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6405) for the relief of Addison B. McKinley, and it was thereupon signed by the Vice President.

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

Ashurst	Dale	Hale	McNary
Bayard	Deneen	Harrel	Mayfield
Bingham	Dill	Harris	Metcalf
Blease	Edge	Harrison	Moses
Borah	Edwards	Heflin	Neely
Bratton	Ernst	Howell	Norbeck
Broussard	Fernald	Johnson	Norris
Bruce	Ferris	Jones, N. Mex.	Oddie
Butler	Fess	Jones, Wash.	Overman
Cameron	George	Kendrick	Pepper
Capper	Gerry	King	Pine
Caraway	Gillett	La Follette	Pittman
Couzens	Glass	Lenroot	Ransdell
Cummins	Goff	McKellar	Reed, Mo.
Curtis	Gooding	McMaster	Reed, Pa.

Robinson, Ark.	Shortridge	Trammell	Weller
Robinson, Ind.	Simmons	Underwood	Wheeler
Sackett	Stanfield	Wadsworth	Willis
Schall	Steck	Walsh	
Sheppard	Stephens	Warren	
Shipstead	Swanson	Watson	

THE VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

REPORTS OF COMMITTEES

MR. GOODING, from the Committee on Irrigation and Reclamation, to which was referred the bill (H. R. 11376) to allow credits in the accounts of Anna J. Larson, special fiscal agent, Bureau of Reclamation, Department of the Interior, reported it without amendment and submitted a report (No. 1163) thereon.

MR. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 2691) to repeal the first proviso of the act entitled "An act granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes," approved March 3, 1925, reported it without amendment and submitted a report (No. 1164) thereon.

MR. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 597) for the relief of Morgan Miller, reported it without amendment and submitted a report (No. 1165) thereon.

MR. CUMMINS, from the Committee on the Judiciary, to which were referred the following bills and resolutions, reported them severally without amendment:

A bill (H. R. 10058) to authorize notaries public and other State officers to administer oaths required by the United States;

A bill (H. R. 11946) to increase the clothing and cash gratuity furnished to persons discharged from prisons;

A 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; and

A resolution (S. Res. 71) directing a select committee to be appointed by the President of the Senate to investigate the acts of the Alien Property Custodian and the administration of the Alien Property Custodian's office.

MR. CUMMINS also, from the Committee on the Judiciary, to which was referred the bill (H. R. 8835) to amend section 1112 of the Code of Law for the District of Columbia, reported it with an amendment.

He also, from the same committee, to which was referred the bill (H. R. 8128) to punish counterfeiting, altering, or uttering of Government transportation requests, reported it with amendments.

BILLS INTRODUCED

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

By Mr. BUTLER:

A bill (S. 4524) to admit free of duty and for remission of duty on certain bells for carillon purposes; to the Committee on Finance.

By Mr. NEELY:

A bill (S. 4525) granting a pension to Olive May Cooley; and A bill (S. 4526) granting an increase of pension to Emma J. Lee; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 4527) for the relief of Guy Boggers (with accompanying papers); to the Committee on Finance;

A bill (S. 4528) to amend an act entitled "An act to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal of honor roll," and for other purposes; to the Committee on Military Affairs.

By Mr. BINGHAM:

A bill (S. 4529) to increase the membership of the National Advisory Committee for Aeronautics, and for other purposes; to the Committee on Commerce.

By Mr. ODDIE:

A bill (S. 4530) amending sections 11 and 21 of the Federal highway act, approved November 9, 1921, amending paragraph 4, section 4, of the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes," prescribing limitations on the payment of Federal funds in the construction of highways, and for other purposes; to the Committee on Post Offices and Post Roads.

REGULATION OF RADIO COMMUNICATIONS

MR. ROBINSON of Arkansas submitted sundry amendments intended to be proposed by him to the bill (H. R. 9971) for the regulation of radio communications, and for other purposes, which were ordered to lie on the table and to be printed.