Mollie A. Hough, Montgomery.
Sallie P. Lunday, Naples.
Jesse W. Garvin, Navasota.
Edward S. Howe, Neches.
Carrie L. Thomas, Odell.
William T. Henderson, Odessa.
Henry C. Arnold, Orange.
Bessie E. Fairless, Palo Pinto.
Hattie E. Eaton, Peacock.
Willie J. Allison, Pickton.
Earl Cassity, Pilot Point.
Pearl M. Parsons, Port Neches.
Joe R. Taylor, Rhome.
Douglas P. Rounds, Rio Hondo.
James E. Risley, Rockwall.
Tina East, Sanderson.
Hugh G. Koether, Shiner.
Art E. Frieze, Silverton.
Jason J. Moy, Sourlake.
Ralph H. Kelly, Stanton.
Burna H. Cain, Thrall.
Luella B. Friday, Tivoli.
Iris C. Dees, Van Horn.
John R. Ratcliff, Wallis.
Joe K. Clarke, Wheeler.
James R. Burras, Windom.
Arthur C. Shaw, Wingate.
Ellen Wallace, Woodson.

VERMONT

Margaret W. Bent, Westminster.

WEST VIRGINIA

Alfred M. McKinney, Beckley.
Paul G. Rogers, Clendenin.
Wilburn D. Hill, Danville.
Arthur F. Dunham, Farmington.
George H. Moreau, Fayetteville.
Harry O. Lockman, Helen.
John W. Fortney, Lumberport.
Ethel M. Zimmerman, McMechen.
Benjamin C. Wetzel, Sun.
George E. Patterson, Wellsburg.
Louis Knakal, Widen.

HOUSE OF REPRESENTATIVES

SATURDAY, *December 11, 1926*

The House met at 12 o'clock noon.

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

Gracious Lord, we come. Thou alone hast the staff for the valley and the song for the plain. We are here with an open hand; from Thy bountiful supply, do Thou satisfy our need. Give us wisdom to push through human weakness, human fault, and human ignorance that we may bear with patience our duties. Be Thou the builder of our characters. May our souls grow and expand without noise, under the inspiration of Thy Spirit. Bless them with the livery of heaven, which is charity. Let Thy truth burn through our lips and speak through our conduct and always direct the counsels of our hearts. Amen.

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

LEAVE TO ADDRESS THE HOUSE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent for permission to speak to the House for about 15 minutes on next Tuesday morning, following the reading of the Journal and the disposition of matters on the Speaker's table.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that he be permitted to address the House for 15 minutes on Tuesday next after the reading of the Journal and the disposition of matters on the Speaker's table. Is there objection?

There was no objection.

ORDER OF BUSINESS—CALENDAR WEDNESDAY BUSINESS

Mr. TILSON. Mr. Speaker, it will be a convenience at least to me if we may now settle as to what will be done next Wednesday. I should like to go on with the appropriation bills and also with the alien property bill when that is ready, and would like now to get the permission of the House to dispense with Calendar Wednesday business on next Wednesday.

Mr. GARRETT of Tennessee. Mr. Speaker, I know of no objection to that being done. I understand that the call rests with the Committee on the Territories, and that that committee is satisfied to have that done.

Mr. TILSON. In fact it will be an accommodation to that committee. That committee has at least two bills which it wishes to have considered. The chairman of the committee is too ill to attend the sessions of the House, and I am afraid that he will not be able to attend the sessions next week. I, therefore, make my request to dispense with Calendar Wednesday business on next Wednesday.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the business in order on Wednesday next, Calendar Wednesday, be dispensed with. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, is the gentleman in a position where he can state now with any reasonable definiteness when the alien property bill is likely to be under consideration?

Mr. TILSON. No. I see one member of the committee present, but I have not been able to see the chairman of the committee as yet.

Mr. GARNER of Texas. Mr. Speaker, we have been considering that bill this morning since 10 o'clock, and we expect to resume its consideration at 2 o'clock this afternoon. It seems to me that we may get through with it to-day, but at least we will get through with it on Monday. I see the gentleman from Iowa [Mr. GREEN] has just entered the Chamber.

Mr. TILSON. Can the gentleman from Iowa tell us whether his bill will be ready for consideration by Wednesday of next week?

Mr. GREEN of Iowa. Mr. Speaker, I think so, if we can get a rule for its consideration. The gentleman from Connecticut is aware of the fact that we will have to have a rule to consider the bill.

Mr. TILSON. I assume that it is not privileged.

Mr. GREEN of Iowa. It is not a privileged bill.

Mr. TILSON. A unanimous report from the Committee on Ways and Means will probably call forth a rule from the Committee on Rules without much difficulty.

Mr. GARRETT of Tennessee. I imagine there will not be much difficulty about securing a rule, and it is possible that it may be taken up by unanimous consent. We will see about that after the bill is reported.

Mr. BLANTON. Mr. Speaker, may I ask the gentleman from Connecticut a question?

The SPEAKER. Does the gentleman yield?

Mr. TILSON. Yes.

Mr. BLANTON. So that Members may make their arrangements, will the gentleman tell us now what recess there will be for the Christmas holidays?

Mr. TILSON. Of course, I can not speak definitely, because the body at the other end of the Capitol must be consulted. I have already talked with Senator CURTIS with regard to it, and we are trying at the present time to agree upon either Wednesday, the 22d, or Thursday, the 23d.

Mr. BLANTON. And whatever day it will begin, it will last over until after New Years?

Mr. TILSON. Yes; probably until Monday, January 3, New Year's Day being on Saturday.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut that the business in order on Wednesday next be dispensed with?

There was no objection.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be permitted to sit during the sessions of the House.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the Committee on Ways and Means be permitted to sit during the sessions of the House. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2858. An act to fix the salaries of certain judges of the United States.

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

H. R. 7930. An act for the relief of the Broad Brook Bank & Trust Co.;

H. R. 9232. An act for the relief of Isaac A. Chandler;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H. R. 12393. An act to amend paragraphs 1 and 2 of section 26 of the act of June 30, 1919, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920"; and

H. J. Res. 256. Joint resolution relieving posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines from liability on account of loss or destruction of obsolete rifles loaned by the War Department.

The message also announced that the Senate had passed with amendments bill of the following title:

H. R. 12316. An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes, in which the concurrence of the House of Representatives was requested.

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

S. 95. An act for the relief of Carlos Tompkins;

S. 1871. An act to punish the transportation of stolen property in interstate or foreign commerce;

S. 1924. An act for the relief of the Uintah and White River Tribes of Ute Indians of Utah;

S. 2279. An act for the relief of James C. Baskin;

S. 2524. An act for the relief of John H. Rhinelander;

S. 2609. An act for the relief of James E. Van Horne;

S. 4234. An act for the relief of Franklin B. Morse;

S. 4347. An act to amend section 26 of the act of June 30, 1919, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920";

S. 4445. An act to amend the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924;

S. 4470. An act authorizing and directing the Secretary of the Navy to turn over the gunboat U. S. S. *Wolverine* to the municipality of Erie, Pa.;

S. 4533. An act extending to lands released from withdrawal under the Carey Act the right of the State of Montana to secure indemnity for losses to its school grant in the Fort Belknap Reservation; and

S. J. Res. 110. Joint resolution authorizing a joint committee of both Houses to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code system, under patents issued or that may be issued, and also the unrestricted use of all copyrights issued or that may be issued in connection with the products of the Harriman Geographic Code system for all governmental, administrative, or publication purposes for which the same may be desirable.

ENROLLED BILLS SIGNED

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

H. R. 3278. An act for the relief of A. S. Rosenthal Co.;

H. R. 6466. An act for the relief of Edward C. Roser;

H. J. Res. 256. A joint resolution relieving posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines from liability on account of loss or destruction of obsolete rifles loaned by the War Department;

H. R. 7930. An act for the relief of the Broad Brook Bank & Trust Co.;

H. R. 9232. An act for the relief of Isaac A. Chandler; and

H. R. 12393. An act to amend paragraphs 1 and 2 of section 26 of the act of June 30, 1919, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920."

SENATE BILLS REFERRED

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

S. 4533. An act extending to lands released from withdrawal under the Carey Act the right of the State of Montana to secure indemnity for losses to its school grant in the Fort Belknap Reservation; to the Committee on Public Lands and Surveys.

S. 4445. An act to amend the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924; to the Committee on the District of Columbia.

S. 4347. An act to amend section 26 of the act of June 30, 1919, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920"; to the Committee on Indian Affairs.

S. 4234. An act for the relief of Franklin B. Morse; to the Committee on Military Affairs.

S. 2609. An act for the relief of James E. Van Horne; to the Committee on Claims.

S. 2524. An act for the relief of John H. Rhinelander; to the Committee on Claims.

S. 2279. An act for the relief of James C. Baskin; to the Committee on Military Affairs.

S. 1924. An act for the relief of the Unitah and White River Tribes of Ute Indians of Utah; to the Committee on Indian Affairs.

S. 1871. An act to punish the transportation of stolen property in interstate or foreign commerce; to the Committee on the Judiciary.

S. 95. An act for the relief of Carlos Tompkins; to the Committee on Military Affairs.

S. J. Res. 110. Joint resolution authorizing a joint committee of both Houses to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code System under patents issued, or that may be issued, and also the unrestricted use of all copyrights issued, or that may be issued, in connection with the products of the Harriman Geographic Code System for all governmental, administrative, or publication purposes for which the same may be desirable; to the Committee on Rules.

JUDGE GEORGE W. ENGLISH—IMPEACHMENT PROCEEDINGS

Mr. MICHENER. Mr. Speaker, by direction of the managers on the part of the House in the impeachment proceedings now pending in the Senate against George W. English, I submit a unanimous report from the committee, which I send to the desk, and ask to have read.

The SPEAKER. The gentleman from Michigan submits a report, which the Clerk will read:

The Clerk read as follows:

To the House of Representatives:

The managers on the part of the House in the impeachment proceedings now pending in the Senate against George W. English, late judge of the District Court of the United States for the Eastern District of Illinois, respectfully report:

That George W. English, judge of the District Court of the United States for the Eastern District of Illinois, did on November 4, 1926, tender his resignation to the President of the United States, which resignation was immediately accepted by the President.

That on November 10, 1926, the managers on the part of the House of Representatives appeared before the Senate, sitting as a court of impeachment in said impeachment proceedings, and advised the Senate of said resignation and its acceptance, and further advised the Senate that the managers had determined to recommend the dismissal of the pending impeachment proceedings, and desired to report their action to the House, and requested the Senate, sitting as a court of impeachment, to adjourn to such time as might be necessary to permit the House of Representatives to take appropriate action upon the report of the managers, whereupon the Senate, sitting as a court of impeachment, adjourned until Monday, the 13th day of December, 1926, at 1 o'clock p. m.

The managers are of the opinion that the resignation of Judge English in no way affects the right of the Senate, sitting as a court of impeachment, to hear and determine said impeachment charges.

Inasmuch, however, as the respondent, George W. English, is no longer a civil officer of the United States, having ceased to be a judge of the District Court of the United States for the Eastern District of Illinois, the managers on the part of the House of Representatives respectfully recommend that the impeachment proceedings pending in the Senate against said George W. English be discontinued.

Mr. MICHENER. Mr. Speaker, I send a resolution to the Clerk's desk and move its adoption.

The SPEAKER. The gentleman from Michigan offers a resolution, which the Clerk will report.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. Do I understand the gentleman from Michigan has moved the adoption of the resolution? Does that mean that there will be no debate on the resolution?

The SPEAKER. The Chair does not so understand. The gentleman from Michigan is entitled to an hour, which he may use as he desires. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the managers on the part of the House of Representatives in the impeachment proceedings now pending in the Senate against George W. English, late judge of the District Court of the United States for the Eastern District of Illinois, be instructed to appear before the Senate, sitting as a court of impeachment in said cause, and advise the Senate that in consideration of the fact that said George W. English is no longer a civil officer of the United States, having ceased to be a district judge of the United States for the eastern district of Illinois, the House of Representatives does not desire further to urge the articles of impeachment heretofore filed in the Senate against said George W. English.

Mr. MICHENER. Mr. Speaker, does the gentleman from New York desire time?

Mr. LAGUARDIA. I desire time in opposition.

Mr. MICHENER. How much?

Mr. LAGUARDIA. As much as I can get.

Mr. MICHENER. Ten minutes?

Mr. LAGUARDIA. I would like to have more time.

Mr. MICHENER. Are there any others desiring time?

Mr. HUDDLESTON. I would like to have two minutes.

Mr. COOPER of Wisconsin. I would like to have two or three minutes.

Mr. MICHENER. The gentleman from Alabama desires 2 minutes, the gentleman from New York 10 minutes, and the gentleman from Wisconsin 2 minutes——

Mr. HOWARD. I may desire some time. I would like to have two or three minutes.

Mr. MICHENER. The gentleman from Alabama [Mr. HUDDLESTON] wants two minutes.

Mr. HOWARD. I would like to speak a little myself.

Mr. MICHENER. How much time does the gentleman desire?

Mr. HOWARD. Not much; just a little.

Mr. MICHENER. That is rather indefinite—one minute?

Mr. HOWARD. No; make it ten; I may not use all of it.

Mr. MICHENER. Can not the gentleman get along with less time? We have an important appropriation bill to come up.

Mr. HOWARD. The gentleman will understand I am not asking for time; I am only suggesting it.

Mr. MICHENER. That is possibly true; but does the gentleman insist upon it?

Mr. HOWARD. No; I never ask for time from an individual. I suggest it sometimes, but I never ask it.

Mr. COOPER of Wisconsin. I would like a little more than two minutes. May I have five minutes? I may not use it. An appropriation bill is not one-half as important as this resolution.

Mr. MICHENER. The gentleman from Wisconsin wants 5 minutes; the gentleman from Nebraska wants 5 minutes; the gentleman from Texas [Mr. SUMNERS] 10 minutes. Mr. Speaker, I ask unanimous consent that the debate be limited to 45 minutes, the same to be used by the gentlemen indicated, and at the end of that time the previous question be considered as ordered.

The SPEAKER. The gentleman from Michigan asks unanimous consent that debate on this resolution be limited to 45 minutes, at the conclusion of which time the previous question shall be considered as ordered. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, that leaves it open to amendment, of course.

Mr. MICHENER. In order that there might be no misunderstanding, permit me to say that if the gentleman in charge of the bill yields for amendment, then he loses the floor.

Mr. GARRETT of Tennesse. If the gentleman will permit me to suggest, as I understand the rule the gentleman has control of the time and can yield to gentlemen and then move the previous question.

Mr. MICHENER. The gentleman from Michigan appreciates that, but he thinks that this is better, for reasons which I think the gentleman from Tennessee will appreciate.

The SPEAKER. Is there objection to the request?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. HUDDLESTON. Mr. Speaker, may I propound a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. HUDDLESTON. That is, to ask whether the opposition is not entitled under our practice to be recognized for an hour?

The SPEAKER. Not under our practice. The hour is in control of the gentleman offering the resolution, and he may yield time or move the previous question.

Mr. MICHENER. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker and gentlemen of the House, in behalf of the managers I desire briefly to supplement the report that has just been read. When Judge English resigned it left undetermined solely the question as to whether or not the House, through its managers, should be responsible for bringing to the city of Washington from Illinois and Missouri perhaps 125 witnesses, take the time of the Senate for possibly a month to try the sole issue whether or not the Senate, by its judgment, should bar Judge English from holding any other office under the United States. That is all that was left in this case after Judge English resigned. The Senate has no power to punish. That power is left to the other agencies of the Government. We are dealing with a practical proposition. Gentlemen of the House are familiar with the provisions of the Constitution fixing and limiting with judgment which may be rendered by the Senate. In its distinctive characteristics an impeachment proceeding provided for in our Constitution is an ouster proceeding. This is the language of the Constitution: "Judgment in cases of impeachment shall not extend further than to remove from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States, but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law." It is not the power to punish. That is left to the courts. It is in the power of the Federal Government to take back into itself the governmental authority that has been delegated to individuals who have demonstrated their unfitness to possess or exercise those powers. The power which Judge English possessed is now returned to the Government. He resigned while under impeachment by the House. He resigned under circumstances which make him and his experiences a warning and an example.

Now we confront the practical proposition as to what is to be done, and the House must decide it. The managers did not feel that they would be justified, as the representatives of the House, to put what we regard as an unnecessary and senseless charge upon the Public Treasury and upon the time of the Senate in order to get the judgment of the Senate after weeks of trial upon the sole issue of whether or not this one man, of all others the least liable to have another opportunity to hold a Federal office, should be barred from holding a Federal office in the future. In our judgment, and I believe in the sound judgment of the House, there really can be no question as to what ought to be done in the situation. The managers therefore unanimously agreed to the report as read, and we have submitted that report to the judgment of the House for its action.

Mr. Speaker, if I have any further time I would like to reserve it. That is the only statement that I care to make at this time. I reserve the balance of my time.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield before he concludes?

Mr. SUMNERS of Texas. I regret that I can not yield. I must reserve the balance of my time.

The SPEAKER. The gentleman has consumed four minutes.

Mr. MICHENER. Mr. Speaker. I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

The SPEAKER. The gentleman from New York is recognized.

Mr. LAGUARDIA. Mr. Speaker and gentlemen of the House, the distinguished gentleman from Texas [Mr. SUMNERS], who made such an able presentation of the case when the impeachment was under consideration in the House, urges in the name of the managers appointed by the House the discontinuance of the trial of impeachment on the ground, among other things, that 125 witnesses are to be called to sustain the charges contained in the articles of impeachment, and on the further ground that it would be improper, owing to the fact that the judge has since resigned, to place the burden of the cost of an impeachment trial upon the Treasury of the United States.

Were that rule followed we would have absolutely no system of jurisprudence or ever bring to trial big offenders. Why, the Doheny-Fall trial is costing the United States hundreds of thousands of dollars. Should that case have been nolle prossed because of the expense involved? Should the trial be discontinued and Congress vote to the defendants the congressional medal of honor?

Articles of impeachment were presented on April 1, 1926. The resignation of Judge English came on November 4, the day fixed, or I believe the day previous to the time fixed by the Senate, to hear the case. Previous to April 1, 1926, and for a year before that the conduct of this particular judge was under investigation by several Members of the House. I

called the attention of the House to the conduct of this judge on Decoration Day of 1924. His letter of resignation to the President of the United States is not one of a penitent. There is not one word of contrition or regret in it. On the contrary, he says, "I enjoy the confidence of the people of my district, and that is sufficient for me," and he resigned.

There is precedent to proceed with the trial, the resignation to the contrary notwithstanding. Since when does the American Congress take the easiest way for the sake of saving a few paltry dollars and permit a venal, brutal, unscrupulous judge to avoid trial by handing in his resignation? Gentlemen, the purpose in bringing offenders to trial is not only to mete out punishment but as a deterrent to others. The practice in the administration of the bankruptcy law in many jurisdictions of the country is very bad. In some instances a bankruptcy ring exists similar to that created by Judge English. Are you going to countenance the continuance of this bad practice by permitting this man to escape trial? I believe this judge should not only be punished but made an example to others. Why, if he were put on trial to-morrow, or on Monday, there would be but one alternative for this man to take—to go before the bar of the impeaching tribunal and plead guilty.

Suppose a defendant is under indictment for larceny and after indictment makes complete restitution without the consent of the district attorney. Would that void the indictment? Not at all. He would have to face trial. Even if restitution is made in a case of larceny, that may be taken into consideration by the judge in mitigation of the sentence, but the offense has been committed and either a plea of guilty is entered or the defendant is placed on trial.

The fact that this man usurped power as a Federal judge, the fact that he committed improper administration in bankruptcy cases, the fact that he improperly called State and county officers before him, abused them, and read the riot act to them and interfered with their duty improperly and unlawfully—are these things to be removed from the question of impropriety by our conduct to-day? The managers of the House, as far as the record shows, were not consulted as to the resignation. What is there in the resignation that removes the vicious acts of this judge from the consideration of the high Court of Impeachment?

Gentlemen, I believe the matter is beyond us. I believe that having once presented articles of impeachment to the Senate after approving the articles of impeachment by a vote of 306 to 62, the matter rests squarely with the high Court of Impeachment, and we should not instruct the managers of the House to go before that Court of Impeachment and say that the House does not desire to urge further the articles of impeachment. Let the Senate hail the impeached judge before it and then take such action as may be proper.

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

Mr. LaGUARDIA. Yes.

Mr. McKEOWN. The gentleman having resigned has accomplished half the penalty at least?

Mr. LaGUARDIA. Yes; but he is still qualified to hold office. The most important thing is that we fail to pass upon the impropriety of the acts committed by this man and denounce them. Some of these very acts are being committed by other judges, I am sorry to say, in other jurisdictions. The Court of Impeachment has the opportunity of passing judicially on these unlawful, improper, and dishonest acts and so denounce them that no judge would ever have the temerity to repeat any of them.

Mr. McKEOWN. Supposing, then, that the House, having accomplished half of the penalty and the judge is no longer a judge of the United States, in what position would we be in if the Senate should find him not guilty of all the charges?

Mr. LaGUARDIA. If he is not guilty, the man is entitled to that verdict and I think he owes it to the gentlemen in this House who took the floor in his defense to stand trial. [Applause.] If he is not guilty, then why does he not proceed to trial? Why did he resign?

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. NEWTON of Minnesota. As I understand it, in his letter Judge English admitted that his further usefulness in the district had ended by reason of what had transpired.

Mr. LaGUARDIA. But he assumes the attitude of a martyr and says he has been persecuted and that he enjoys the confidence of his fellow citizens.

Mr. NEWTON of Minnesota. That is his statement.

Mr. LaGUARDIA. All right. Then let us say to him, "We agree with you, Judge English, that you have ceased to be useful, but we do not agree with you that you are not guilty; and if, as you say, you enjoy the confidence of your fellow citizens, you should go to trial and let the high Court of Impeachment determine whether you are guilty or not."

Mr. TILSON. Will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. TILSON. Will not the judgment of the House, though, still stand? That in the judgment of this House he should be impeached. That was the judgment of the House, solemnly pronounced, and then he, after that judgment had been pronounced, has voluntarily taken himself out of the matter.

Mr. LaGUARDIA. But the gentleman overlooks the fundamental principle of American justice, that no man is guilty until he has been so declared by a jury of his peers or by a proper tribunal. [Applause.] The indictment of a man is no cloud, it is not and should not be any presumption of guilt. An indictment or an impeachment is only a charge, an accusation, against a person.

Mr. RAMSEYER. Will the gentleman yield to me for a question?

Mr. LaGUARDIA. Yes.

Mr. RAMSEYER. This is not a criminal procedure, and are not these the only two actions which the Senate could have taken if he had not resigned? One to oust him and the other to prevent him from holding office under the United States Government. It seems to me there could be no other punishment outside of that.

Mr. LaGUARDIA. But the gentleman overlooks the most important part of the proceeding, namely, that in the event the impeached judge is found guilty the court would pass upon the propriety of the acts committed by this judge. That is the most important thing here.

Gentlemen, people are commencing to lose confidence in our Federal courts by reason of the practices prevalent in many of the judicial districts, and it is our desire to bolster the courts and it is our duty to cleanse the courts. We increased the salaries of judges of the Federal courts the other day, and properly so, but we ought to make it known that the American Congress will not brook any usurpation of power; that we will not stand for any brutality from the bench, and that we will not tolerate any improper practices in the administration of the Federal law. That is our duty, and if gentlemen want to restore confidence in the Federal courts and see that they function properly you have your opportunity to-day in voting down this resolution and putting this man on trial.

Mr. McKEOWN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. McKEOWN. I agree with the gentleman as to that, but does not the gentleman think this procedure is wasting time? That we should be taking notice of improper things in other districts and not wasting time on this one.

Mr. LaGUARDIA. And then let the other officials resign?

Mr. McKEOWN. No; let us go after them. I am with the gentleman on that.

Mr. LaGUARDIA. But that is what would happen if we should establish this precedent. Judge English had an opportunity to resign when the Judiciary Committee started its investigation and he had an opportunity to resign before the articles of impeachment were framed. I shall vote against the resolution.

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

Mr. MICHENER. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. BOWLING]. [Applause.]

Mr. BOWLING. Mr. Speaker, to the best of my ability I opposed the resolution adopting articles of impeachment against Judge George W. English. I am glad that in my position I did not stand alone. I felt then, and believe now, that the official record of the testimony assembled by the great Committee on the Judiciary failed to make out a case calling for the interposition of the tremendous power of impeachment. So convinced, I voted against impeachment. After losing my case before the bar of the House, I exercised the ancient privilege of every losing litigant, to "cuss the court" for 24 hours.

For reasons which I hope are entirely satisfactory to himself, Judge English has resigned. I must express a profound regret that, having gone as far as he did, he has refused to test his case to an ultimate verdict.

Having resigned and his resignation having been accepted, I see no reason why the managers on the part of the House should further pursue Judge English. I believe their conclusion is wise, and I heartily support the pending resolution. [Applause.]

Mr. MICHENER. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, if the sole object of the proceeding against Judge English had been to get him out of office, it would be foolish to pursue the matter further. That,

however, it seems to me, was the smallest part of the object of the impeachment. It was to make an example of English; it was to hold him up to the scorn of his fellow citizens; it was to so deal with him that other judges having a similar disposition might govern their conduct accordingly.

Having been a lawyer for a great many years I have all of a lawyer's regard for precedents; but having had for a still longer time the opportunity to observe life and to learn its significance I have, as I hope, all of a sensible man's disregard for precedents. I recognize, however, that the legislative branch of our Government is governed largely by practices based on precedents; based upon what has been called "a wilderness of solitary instances," and I realize that we are establishing a precedent to-day that will be cited in the future, and, perhaps, will become the practice of the House in future proceedings. That precedent is that no matter how guilty a judge may be, nor how little the expense that might attend his trial, if he will only vacate his office by resignation the proceeding will go no further.

For the purposes of our action upon this resolution we must assume that Judge English is guilty on every count; that he has been guilty of personal dishonesty and official corruption, of the utmost outrageous tyranny and usurpation, of gross discourtesy to litigants and to attorneys, of practically every crime which a judge may commit.

I heard a witty lawyer say once that he could not wish an enemy lawyer in any worse hell than that he should be condemned to practice throughout eternity before an unjust and oppressive judge. [Laughter.] My experience as a lawyer causes me to give approval to that.

We must assume for this proceeding that Judge English is everything that would make a hell on earth to lawyers and to honest citizens who had to appear before him; for the purposes of this proceeding we can not consider what might have been the expense of presenting the case to the Senate. That expense we must assume would have been practically nothing. So the precedent which will confront us in future is that judges who are willing to vacate may do whatever they like and Congress will let them off with a mere resignation.

Possibly it may be that the committee, in meeting the measure of their responsibility, have made a wise decision. Fortunately for me, I have no responsibility except that which requires me to answer at the bar of my own conscience. I deemed Judge English guilty and I voted against him gladly. I never cast a vote in which I had more confidence; but apart from that, I am not willing to commit myself to such a precedent and to such a proceeding as this is outlined to be.

The SPEAKER pro tempore (Mr. SNELL). The time of the gentleman from Alabama has expired.

Mr. MICHENER. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, the House of Representatives, by an overwhelming majority, impeached Judge George English for high crimes and misdemeanors. The Senate set the case for trial. But there has been no trial, and we are asked to say that there never shall be one. Now, an indictment by a grand jury is not proof of guilt. Unless the defendant confesses his guilt, there must be the verdict of a jury before he can be declared guilty. Indictment by the House and the adoption of these articles of impeachment is not proof of guilt, and does not in law tarnish the reputation of this judge at all. He is in law still innocent, and were he on trial in a criminal court the mere fact of his impeachment by the House, without a trial and a verdict in the Senate, could not be introduced in evidence.

I say these things because of the statement of the floor leader, the gentleman from Connecticut [Mr. TILSON], that this judge is now before the country as guilty by the solemn judgment of this House. The gentleman misinterprets the law of evidence and the procedure in courts. There is nothing in law against Judge English up to this time. He has not been tried.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. COOPER of Wisconsin. One moment. I have only five minutes.

Now, what was Judge English charged with? Repeatedly in the articles of impeachment he is charged—among other offenses—with the corrupt use of bankruptcy funds in his court for the benefit of himself and a man named Thomas, the head of a bankruptcy ring, and of their respective relatives. In other words, he is charged with having robbed litigants for the benefit of his own purse. He disbarred a lawyer, of whom many of us had heard before these impeachment proceedings were instituted, Mr. Thomas Webb, of East St. Louis; and he did this, as the articles of impeachment, and all of the House managers declared, without any charges having been preferred against Mr. Webb, without any previous notice to him, and without giving him any opportunity to be heard in his defense. This judge, whose tenure of office was for life, independent financially, doing virtually as he pleased for life, tells a lawyer, "You shall not practice in this court any more." "But," said Mr. Webb, "I have had no charge lodged against me. I have had no hearing, no chance to be heard." "Nevertheless," said Judge English, "you can not practice your profession here; you can not earn a penny for your wife and your children and yourself in this court."

This judge virtually runs away from these charges. Now, in the prosecution of criminal cases the fact of the flight of the accused is always introduced by the prosecution as presumptive evidence of guilt. This judge charged by the House with having repeatedly committed felony with venality, with shameful tyranny and corruption, resigns, and thus seeks to escape punishment. And we are to say to other judges, "You can, in utter violation of law, disbar reputable lawyers, you can help form a bankruptcy ring and feloniously take money belonging to bankrupt estates in your court and put it in your pockets and in the pockets of your fellow conspirators; you can rob litigants in the name of the law, and if any trouble threatens you in Congress you can resign and escape it."

What a spectacle for the House to spend many days in clearly justifying, in my judgment, the adoption of the articles of impeachment, and then when it comes to the question of a trial say, "Although we believe you guilty of high crimes and misdemeanors, and that there is evidence amply sufficient to justify our belief, you may resign and escape trial."

The possible expense of a trial is, in my judgment, not worthy of serious consideration, in view of the importance of the issues involved. This Government can afford to, and should, prosecute to the end a judge impeached for high crimes and misdemeanors.

I remember, Mr. Speaker, as you do, the words of Gibbon in The Decline and Fall of the Roman Empire, when speaking of the unlimited discretion of judges—and that is dangerously near what some judges exercise now. He says:

> The discretion of the judge is the first engine of tyranny.

This judge possessed a willingness to be tyrannical and corrupt, but he never had the opportunity to display it until given a life position with an independent salary, and then, according to the articles of impeachment, he exercised it at every opportunity.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. MICHENER. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. TILLMAN].

Mr. TILLMAN. Mr. Speaker, I joined with my colleagues, composing the board of managers on the part of the House, in recommending that, inasmuch as Judge English has resigned, proceedings against him be dropped. By his resignation he enters a plea of guilty to the charges upon which his impeachment was voted by this House. The paramount object of the proceedings against him was his removal from office. That has been accomplished by his resignation.

In this connection I want to pay a well-deserved compliment to one of the great newspapers of America, the St. Louis Post-Dispatch. This fearless journal began the investigation of this Federal judge; spent large sums of money in the conduct of this investigation; invited libel suits, but continued its public-spirited course in exposing this officer, to the admiration of all good citizens.

America leads the world in great newspapers, and one of the greatest is this Middle West journal, published in the city of St. Louis. [Applause.]

The managers feel that while a trial before the Senate would give to us wide publicity, still we should not for selfish reasons expend $100,000 on a Senate trial—the estimated cost of the impeachment trial. This judge's resignation is tantamount to a confession of guilt and constitutes a vindication of the special committee which investigated the charges against him, vindicates the Committee on the Judiciary, and vindicates the House which voted the impeachment.

Mr. MICHENER. Mr. Speaker, I yield three minutes to the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. Mr. Speaker, I was not present when the proceedings were instituted by the House against Judge English. I was paired, I think, with my colleague [Mr. BOWLING], who opposed the resolution of impeachment. However, that is entirely beside the question at issue now. It seems to me that if we set the precedent to-day of withdrawing these proceedings we shall invite the judges of the country to follow it in criminal proceedings, involving the administration of the law designed to suppress crime throughout the country. If the judges of the land adopt the policy that whenever a criminal

is overtaken and brought into court he shall be permitted to go free upon giving assurance that he will desist from further commission of crime, we shall have no administration of the criminal law in this country worthy of the name. If judges adopt such a policy they will invite impeachment, or some step that will save the judicial system from destruction.

Mr. RATHBONE. Will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. RATHBONE. Let me read the gentleman a provision of the Constitution.

> Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

Does not the gentleman think that there is every safeguard in such language?

Mr. STEAGALL. Ah, but that does not relieve us of our responsibility in the matter. The most serious thing involved is the removal of the man from office and placing the judgment of conviction on him, disqualifying him. No worse punishment could be visited upon an American citizen than that. The highest purpose of punishment is to set an example that will bring respect for law. Lawlessness is the menace of the hour in our national life. This proposition to drop these proceedings reflects the spirit now abroad in the land which mocks the law or by specious appeals or evasions avoids its enforcement. We ought not to set a precedent that will lower the standards set for men in high place. The people at large can not be expected to measure up to the duties demanded of them if we in high place become careless in holding high officials to exalted ideals. The case should be tried and the dignity of Congress upheld. If the judge involved is not guilty, he is entitled to a vindication, and if he has proper regard for his office and his own good name, he would not be content with less.

The SPEAKER. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Speaker and gentlemen of the House, the managers on the part of the House have made their report, which is unanimous; you can do as you please. You take the responsibility. Let us see where we are. Remarkable speeches have been made here. Gentlemen who are opposed to the resolution submitted here seem to be of the opinion that the Senate of the United States has the power to inflict punishment upon Judge George W. English. What is the situation, what is the practical horse-sense situation that presents itself to men of common sense? Here is a man who has been impeached by the House of Representatives, and six days before he has to stand trial by the Senate did that which at the bar of public opinion, at the bar of common sense, amounts to a plea of guilty to the charges made against him. The man who held this office under life tenure, a position of honor and of prominence, under the lash of impeachment and of prosecution by this House has surrendered his commission and the governmental power which he possessed. He is now stripped of all power, deprived of remuneration of the office, and every man that has a grain of sense knows that to have a long, expensive proceeding in order to keep this discredited person from holding another Federal office in the future would be foolish. What President of the United States would ever appoint him to office? That is the horse sense of the thing.

The extraordinary power, judicial power, in the ordinary sense to punish for crime, is not possessed by the Senate. Gentlemen talk about power to punish as though the Senate could have or ought to have that power. That power is in the courts. For every crime which Judge English may have committed he may be punished there. We are not dealing with the question of guilt. It is the question of ouster, of getting rid of an unfit public official. And we are rid of him. Is there a man on the floor of this House who says that George W. English can exercise one iota of power ever delegated to him under his commission? Is there anybody with any sense here who says that the time will ever come, or may ever come even, when it will be proven that it would have been advantageous to the public interest for the Senate to have rendered a judgment disqualifying Judge English from holding public office? No. There is not a man who can say that he believes that. Then what is the practical proposition? Are we going to make the House of Representatives ridiculous by asking the Senate to go on with this case when the whole issue left is the matter of the disqualification from holding office in the future? The power of impeachment is an essential power and ought to be preserved. If we are to preserve that power, then we have to use common sense in its exercise. What a spectacle your managers would present in going to the bar of the Senate and saying to the Senate, "We want you to devote three weeks of time to try an absurd issue as to whether George W. English should ever again be commissioned to office under the United States!" That is the practical situation. That is the spectacle which we would present, that your managers would present in appearing at the bar of the Senate, saying to them, "Turn aside from all other public business and hear 125 witnesses in the trial of the sole question as to whether a man who is not in office, who has been driven from office by the House of Representatives, and who never will have office tendered to him again shall be disqualified from again being commissioned to office." Gentlemen, we would be the laughing stock of an intelligent constituency. [Applause.]

The SPEAKER pro tempore (Mr. SNELL). The time of the gentleman from Texas has expired.

Mr. MICHENER. Mr. Speaker, when the charges embodied in the articles of impeachment now pending in the Senate were before the House every charge was analyzed, argued, and discussed before this body. Every Member within this Hall knows well that it was the purpose of the House and the purpose of these proceedings to remove from office a man whom this body has determined to be unfit to longer occupy the position of a United States district judge.

We must not lose sight of the fact that the institution of impeachment under our Constitution is remedial and not punitive. The Constitution provides that—

> Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

Judge English has already by his act of resignation and its acceptance by the President removed himself from office, so that the most that could be accomplished by trial before the Senate and conviction would be to add disqualification for the future; that is, disqualification to hold and enjoy any office of honor, trust, or profit under the United States, and this provision in no way affects the holding of offices under the State. In short, if the full judgment permitted by the Constitution were passed, the status of this man to hold office other than under the Government of the United States would not be affected, except, as my colleague from Texas [Mr. SUMNERS] has said, by the good common sense of the American people. Is there a Member here who believes that any constituency would elect to office by vote of the people a man against whom these articles of impeachment have been filed and who has resigned rather than stand trial? We are confronted with a practical question. The trial of this case in the Senate will take at least three weeks, it will cost many thousands of dollars, and in the end the most that could be accomplished would be the additional penalty of disqualification for the future. Of course, these matters should not be decided entirely on the question of dollars and cents; something more should be considered. But this man is no longer an officer of the United States and the primary purpose of the proceeding has been accomplished, and it is the unanimous opinion of the managers and, I believe, of a large majority of the membership of this body that the wise and sensible thing to do is to discontinue the proceeding in the Senate.

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

Mr. MICHENER. Yes.

Mr. CONNALLY of Texas. Is it not true that if any of these charges constitute a crime, Judge English can still be indicted and tried, just like any other individual?

Mr. MICHENER. The courts of the country are open for the prosecution and punishment of this man if he has committed a single violation of any law.

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

Mr. MICHENER. Yes.

Mr. EDWARDS. What precedents have the managers found for this procedure?

Mr. MICHENER. There are no precedents so far as I have been able to ascertain where an officer impeached by the House resigned after the day for trial had been set in the Senate. There are precedents where a man resigned after the investigation was started. There are precedents where officers resigned after they had been impeached in the House. There is one precedent, in the case of Judge Delahay, of Kansas, where a judge was impeached in the House and articles of impeachment were presented to the Senate, but the date of trial was never set, and in that case no further proceedings were ever had or taken in either body. The House recognized and the Senate recognized and the country recognized that the

purpose of the proceedings had been accomplished, the man was removed from office, and no further proceedings were had.

Mr. LAGUARDIA. There is one precedent where the House impeached a Cabinet officer after he had resigned and a court of impeachment was held.

Mr. MICHENER. That was in the case of Secretary Belknap. Men who have read those proceedings appreciate well what they were, the nature of the proceedings, and possibly some of the motives as charged in the arguments prompting the proceedings at that time. Secretary Belknap resigned at 10.20 o'clock in the morning of the 2d of March, 1876. At 3 o'clock in the afternoon the proceedings were brought on the floor of the House by the Committee on the Judiciary, and the House, with the knowledge that Belknap had resigned from office, proceeded to a hearing. He was impeached in the House. The articles of impeachment were presented to the Senate. After the matter was before the Senate counsel for respondent presented a plea to the jurisdiction, insisting that he was no longer a civil officer of the United States, and therefore could not be prosecuted in the Senate on impeachment charges. There was extensive debate. Anyone interested, if he will read the debates in that case, will find a full collation of all authorities in this country and in England along this line. The Senate, after discussing the matter for some time, overruled the plea to the jurisdiction, but the interesting part of that matter was this: A majority of the Senate, but less than two-thirds, voted to sustain jurisdiction, while a minority voted against the jurisdiction. The Senate proceeded to trial and a majority, but less than two-thirds, voted for conviction. The final vote was 61; 37 Senators voted guilty, 23 not guilty for want of jurisdiction, and 1 not guilty. Therefore, 23 Senators voted against conviction upon the theory that they had no jurisdiction. After discussing the Belknap case and the decision in reference to jurisdiction, Simpson in his work on impeachment says:

> The question is periously near being simply a moot one. With Congress having more to do than time within which properly to do it, it is not likely that an ex-official will ever be impeached, unless he later accepts a Federal office; and it is not likely that he will accept, or having accepted will retain such office, if he knows that he will be impeached.

There are a number of precedents where impeachment proceedings recommended by the House committees were dropped upon notice that the accused official had resigned.

I do not desire to take more time. The responsibility is upon the House. Your managers have labored long; they have worked hard in preparing this case for trial. We are ready to present the case to the Senate if it be the judgment of this body that we should proceed.

Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAGUARDIA. In the event this resolution is voted down, do I understand the status to remain that the managers continue under the previous instructions?

The SPEAKER pro tempore. The Chair would think it would be in the same condition as before it was brought up to-day, in statu quo, and without waiting further instructions of the House.

Mr. MICHENER. The matter would be left as it was, but inasmuch as the managers have asked the Senate for opportunity to report back to the House, we would like to report something affirmative, and if this resolution is voted down we would be very glad if the gentleman from New York would introduce a resolution directing the managers to proceed.

The SPEAKER pro tempore. The question is on the passage of the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUDDLESTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 167, noes 15.

Mr. SCHAFER. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

Mr. MICHENER. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. It is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 290, nays 23, not voting 120, as follows:

[Roll No. 2]

YEAS—290

Abernethy	Andresen	Aswell	Bachmann
Ackerman	Andrew	Auf der Heide	Bacon
Allgood	Arentz	Bacharach	Bailey
Bankhead	Fitzgerald, W. T.	Lozier	Rutherford
Barbour	Fletcher	Luce	Sanders, N. Y.
Beers	Fort	Lyon	Sanders, Tex.
Begg	Foss	McDuffie	Sandlin
Berger	Fredericks	McFadden	Scott
Bixler	Free	McKeown	Sears, Fla.
Black, Tex.	Freeman	McLaughlin, Mich.	Sears, Nebr.
Bland	French	McLaughlin, Nebr.	Seger
Blanton	Frothingham	McMillan	Shallenberger
Boies	Fulmer	McReynolds	Shreve
Bowling	Furlow	McSwain	Sinclair
Bowman	Gallivan	McSweeney	Sinnott
Box	Gambrill	MacGregor	Smith
Brand, Ga.	Garber	Madden	Snell
Brand, Ohio	Gardner, Ind.	Magee, N. Y.	Sosnowski
Briggs	Garner, Tex.	Magrady	Speaks
Brigham	Garrett, Tex.	Major	Sproul, Kans.
Britten	Gasque	Manlove	Stevenson
Browning	Gibson	Mapes	Stobbs
Buchanan	Gilbert	Martin, La.	Strong, Kans.
Bulwinkle	Glynn	Martin, Mass.	Strother
Burdick	Goodwin	Menges	Summers, Wash.
Burtness	Green, Fla.	Merritt	Sumners, Tex.
Burton	Green, Iowa	Michaelson	Swank
Busby	Griest	Michener	Sweet
Byrns	Hadley	Miller	Swing
Campbell	Hale	Milligan	Taber
Canfield	Hall, Ind.	Mills	Taylor, Tenn.
Carew	Hardy	Mooney	Taylor, W. Va.
Carpenter	Hare	Moore, Ky.	Thatcher
Carter, Calif.	Harrison	Moore, Ohio	Thompson
Chalmers	Hastings	Moore, Va.	Thurston
Chapman	Hawley	Morehead	Tillman
Christopherson	Hersey	Morgan	Timberlake
Clague	Hickey	Morrow	Tinkham
Cochran	Hill, Ala.	Murphy	Tolley
Cole	Hoch	Nelson, Me.	Treadway
Collier	Hogg	Nelson, Mo.	Tucker
Collins	Holaday	Nelson, Wis.	Tydings
Colton	Hooper	Newton, Minn.	Underhill
Connally, Tex.	Hudson	Newton, Mo.	Underwood
Connery	Hull, Tenn.	Norton	Updike
Coyle	Hull, Morton D.	O'Connell, R. I.	Upshaw
Cramton	Irwin	O'Connor, La.	Vaile
Crisp	Jenkins	Oldfield	Vestal
Crosser	Johnson, Ind.	Oliver, Ala.	Vincent, Mich.
Crowther	Johnson, S. Dak.	Parker	Vinson, Ky.
Dallinger	Jones	Parks	Walters
Davenport	Kahn	Peery	Warren
Davey	Kearns	Perkins	Wason
Dickinson, Iowa	Kelly	Porter	Watres
Dickinson, Mo.	Kemp	Pratt	Watson
Dominick	Kerr	Purnell	Weaver
Doughton	Ketcham	Quin	Welch, Calif.
Douglass	Kiefner	Ragon	White, Kans.
Drane	Kiess	Rainey	Whitehead
Driver	Kincheloe	Ramseyer	Whittington
Dyer	Kindred	Rankin	Williams, Tex.
Edwards	Kirk	Rathbone	Williamson
Elliott	Knutson	Rayburn	Wingo
Ellis	Kopp	Reece	Winter
Englebright	Kurtz	Reed, N. Y.	Wolverton
Eslick	Lanham	Reid, Ill.	Woodrum
Esterly	Lankford	Robinson, Iowa	Woodyard
Evans	Larsen	Robsion, Ky.	Wright
Fairchild	Lea, Calif.	Rogers	Wurzbach
Faust	Leavitt	Romjue	Wyant
Fish	Letts	Rouse	Zihlman
Fisher	Lineberger	Rowbottom	
Fitzgerald, Roy G.	Lowrey	Rubey	

NAYS—23

Almon	Frear	LaGuardia	Steagall
Beck	Hill, Wash.	Lampert	Taylor, Colo.
Black, N. Y.	Howard	Peavey	Thomas
Cannon	Huddleston	Prall	Voigt
Carss	James	Schafer	Wefald
Cooper, Wis.	Kvale	Schneider	

NOT VOTING—120

Adkins	Dempsey	Johnson, Wash.	Sabath
Aldrich	Denison	Keller	Simmons
Allen	Dickstein	Kendall	Smithwick
Anthony	Dowell	King	Somers, N. Y.
Appleby	Doyle	Kunz	Spearing
Arnold	Drewry	Lazaro	Sproul, Ill.
Ayres	Eaton	Leatherwood	Stalker
Barkley	Fenn	Lee, Ga.	Stedman
Beedy	Funk	Lehlbach	Stephens
Bell	Garrett, Tenn.	Lindsay	Strong, Pa.
Bloom	Gifford	Linthicum	Sullivan
Bowles	Golder	Little	Swartz
Boylan	Goldsborough	McClintic	Swoope
Browne	Gorman	McLeod	Taylor, N. J.
Brumm	Graham	Magee, Pa.	Temple
Butler	Greenwood	Mansfield	Tilson
Carter, Okla.	Griffin	Mead	Tincher
Celler	Hall, N. Dak.	Montague	Vare
Chindblom	Hammer	Montgomery	Vinson, Ga.
Cleary	Haugen	Morin	Wainwright
Connolly, Pa.	Hayden	O'Connell, N. Y.	Weller
Cooper, Ohio	Hill, Md.	O'Connor, N. Y.	Welsh, Pa.
Corning	Houston	Oliver, N. Y.	Wheeler
Cox	Hudspeth	Patterson	White, Me.
Crumpacker	Hull, William E.	Perlman	Williams, Ill.
Cullen	Jacobstein	Phillips	Wilson, La.
Curry	Jeffers	Pou	Wilson, Miss.
Darrow	Johnson, Ill.	Quayle	Wood
Davis	Johnson, Ky.	Ransley	Woodruff
Deal	Johnson, Tex.	Reed, Ark.	Yates

So the resolution was agreed to.

The Clerk announced the following general pairs:

Mr. Tilson with Mr. Garrett of Tennessee.
Mr. Butler with Mr. Quayle.
Mr. Anthony with Mr. Hayden.
Mr. Temple with Mr. Pou.
Mr. Aldrich with Mr. Deal.
Mr. Chindblom with Mr. Mead.
Mr. Magee of Pennsylvania with Mr. Drewry.
Mr. Darrow with Mr. Hammer.
Mr. Patterson with Mr. O'Connor of New York.
Mr. Dowell with Mr. Cox.
Mr. Fenn with Mr. O'Connell of New York.
Mr. Stalker with Mr. McClintic.
Mr. Gifford with Mr. Carter of Oklahoma.
Mr. Stephens with Mr. Montague.
Mr. Ransley with Mr. Barkley.
Mr. Denison with Mr. Jeffers.
Mr. Morin with Mr. Arnold.
Mr. Cooper of Ohio with Mr. Kunz.
Mr. Kendall with Mr. Wilson of Louisiana.
Mr. White of Maine with Mr. Lindsay.
Mr. Yates with Mr. Doyle.
Mr. Connolly of Pennsylvania with Mr. Greenwood.
Mr. Johnson of Washington with Mr. Hudspeth.
Mr. McLeod with Mr. Spearing.
Mr. Phillips with Mr. Griffin.
Mr. Sproul of Illinois with Mr. Davis.
Mr. Simmons with Mr. Sullivan.
Mr. Dempsey with Mr. Jacobstein.
Mr. King with Mr. Mansfield.
Mr. Browne with Mr. Cullen.
Mr. Hill of Maryland with Mr. Lee of Georgia.
Mr. Graham with Mr. Cleary.
Mr. Vare with Mr. Johnson of Texas.
Mr. Williams of Illinois with Mr. Weller.
Mr. Welsh of Pennsylvania with Mr. Bell.
Mr. William E. Hull with Mr. Little.
Mr. Leatherwood with Mr. Bloom.
Mr. Wainwright with Mr. Johnson of Kentucky.
Mr. Swoope with Mr. Boylan.
Mr. Wood with Mr. Vinson of Georgia.
Mr. Adkins with Mr. Lazaro.
Mr. Appleby with Mr. Oliver of New York.
Mr. Curry with Mr. Sabath.
Mr. Lehlbach with Mr. Wilson of Mississippi.
Mr. Strong of Pennsylvania with Mr. Ayres.
Mr. Eaton with Mr. Celler.
Mr. Golder with Mr. Corning.
Mr. Crumpacker with Mr. Linthicum.
Mr. Brumm with Mr. Dickstein.
Mr. Reedy with Mr. Stedman.
Mr. Swartz with Mr. Goldsborough.
Mr. Bowles with Mr. Smithwick.
Mr. Allen with Mr. Reed of Arkansas.
Mr. Houston with Mr. Somers of New York.

Mr. TUCKER. Mr. Speaker, my colleague, the gentleman from Virginia, Mr. MONTAGUE, is absent attending the funeral of Senator McKinley. If he were present, he would vote "aye."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present; the Doorkeeper will open the doors.

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

ENROLLED BILLS SIGNED

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

H. R. 3278. An act for the relief of A. S. Rosenthal Co.; and
H. R. 6466. An act for the relief of Edward C. Roser.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14827, the Interior Department appropriation bill, and, pending that motion, Mr. Speaker, I should like to reach an agreement as to the extent of general debate. If such a limitation is agreeable to my colleague, the gentleman from Colorado [Mr. TAYLOR], and to other Members of the House, I should like to ask a limitation of three hours on general debate, half to be controlled by the gentleman from Colorado and half by myself.

Mr. TAYLOR of Colorado. Mr. Speaker, I have requests for an hour and three-quarters of time. I might get along with that.

Mr. CRAMTON. Then, Mr. Speaker, I ask unanimous consent that general debate be limited to three and a half hours, one-half to be controlled by the gentleman from Colorado and one-half by myself.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that general debate on this bill be limited to three and one-half hours, one-half to be controlled by himself and one-half by the gentleman from Colorado [Mr. TAYLOR]. Is there objection?

Mr. SEARS of Florida. Mr. Speaker, reserving the right to object, will the gentleman follow the usual plan and be very liberal in reference to debate on bona fide amendments which are offered?

Mr. CRAMTON. We are always liberal; but, of course, we desire to make progress as rapidly as possible.

Mr. SEARS of Florida. I am referring to bona fide amendments.

Mr. KNUTSON. What are bona fide amendments?

Mr. SEARS of Florida. Amendments offered in good faith.

Mr. KNUTSON. Pertaining to Florida?

Mr. SEARS of Florida. I shall not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question now is on the original motion of the gentleman from Michigan that the House resolve itself into Committee of the Whole House on the state of the Union to consider this bill—H. R. 14827.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14827, with Mr. MICHENER 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. 14827, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

Mr. CRAMTON. Mr. Chairman, I move that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan moves that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I yield to myself 20 minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 20 minutes.

Mr. CRAMTON. Mr. Chairman and gentlemen of the Committee, I will attempt to confine my discussion of the bill to as small a compass as possible, referring to the consideration of the several items any comments that might be necessary as to most of such items. But I desire now to give the Committee something of a general picture of the bill. I shall be very glad to proceed in the main without interruption, leaving questions to the conclusion of my remarks except where it may seem otherwise necessary.

This is the sixth year that I have been permitted to present to the House from the Committee on Appropriations the bill making appropriations for the Department of the Interior. Previous to that time the appropriations for that department were scattered through several appropriation bills. At that time they were all assembled in one bill, and this bill that is now before you carries all the appropriations for all the activities in Washington and in the field for the Department of the Interior, and no other appropriations.

Before going into a discussion of the bill I want to acknowledge the indebtedness which I feel, and other members of my committee feel, to our colleague the gentleman from Oklahoma [Mr. CARTER] [applause], and the very great disappointment it is that after this bill he is not further to be associated with us in this work.

When I came to Congress Mr. CARTER had been a Member for several years. I can speak freely about him here for a moment now, because, unfortunately, by reason of illness he is not able to be present to-day, and he will not be embarrassed by my remarks. He served as chairman of the Committee on Indian Affairs at the time when that committee handled the appropriations as well as legislation for Indian affairs. When this bill was first organized as a strictly departmental bill and I was asked to act as chairman of that subcommittee I was filled with trepidation, because the activities of the department are so largely activities in the West with which I had but little familiarity. But that trepidation was in some degree modified by the presence of Mr. CARTER as ranking minority member. I immediately sought his counsel and aid, and throughout the six years that we have worked together upon this bill we have had the most pleasant associations. There have never been any differences between us. We have in the committee felt always perfectly safe in accepting his advice and his suggestions, particularly with reference to Indian questions. Not only by reason of blood, by reason of his lifelong residence in Oklahoma, but by reason of his long official experience in this House and in the field, probably he is better qualified to speak with authority on any phase of the Indian problem than any other man in the country.

He has been honored by his party in the House by selection as chairman of their caucus.

In our committee partisanship does not enter. The personal element does have weight in that committee, as in the House

and everywhere. Mr. CARTER has won the esteem, the confidence, and the friendship of the committee. His leaving the House takes from it a man that will be missed, in my judgment, as much as any man in it. [Applause.] I do not know the gentleman who is to succeed him and have no desire for invidious comparison, but such is the standing of Mr. CARTER in this House that I can not comprehend how it can be expected to fill his place with anyone who can begin to reach the position of influence and of service to his State and his country that he has attained in this House. [Applause.] If I have had any success in the handling of this bill, and particularly in developing the policies we have followed with reference to appropriations for the benefit of the Indians, the greater share of that success has been due to Mr. CARTER of Oklahoma. [Applause.]

The bill before us is a development bill, a bill that is in its various activities in the main constructive. It was suggested, I think, the other day that all of these bills, except this, are larger than they were when the budget system was adopted, and that that would be true of the Interior Department if the pensions were eliminated. I shall insert the figures in the RECORD and ask now, Mr. Chairman, unanimous consent to revise and extend my remarks with the privilege of inserting such statements as may seem pertinent.

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

There was no objection.

Mr. CRAMTON. I will put in the RECORD a statement of the appropriations for the various activities of the Interior Department year by year, beginning with the year 1922, with a total of such appropriations, the total exclusive of pensions, and the total exclusive of both pensions and reclamation, reclamation being payable from a separate fund in the Treasury; and as compared with the year 1922 the bill before you for the year 1928 carries a total of $259,000,000, whereas the total for 1922 was $311,000,000. The total, inclusive of pensions, was in 1922 $45,000,000, and in 1928 $36,000,000, and inclusive of pensions and reclamation, it was $24,828,000 in 1922 and is $25,000,000 in 1928—an apparent increase of $180,000,000, approximately. The table that I shall insert will, of course, give the exact figures. But it is to be remembered that there was carried in 1924 an increase of salaries due to the reclassification in the fiscal year amounting to $2,845,000.

Appropriations for Department of the Interior, 1922-1928

Year	Secretary's Office	Land Office	Indian Bureau	Pension Bureau	Reclamation Bureau	Geological Survey	National Park Service	Bureau of Education,
1922	$2,131,070	$3,125,015	$10,342,304	$266,830,920	$20,277,000	$1,614,340	$1,433,220	$586,960
1923	1,572,920	2,954,550	10,134,852	254,246,191	14,800,000	1,450,940	1,446,520	621,960
1924	1,461,020	2,942,660	11,317,655	254,774,660	12,250,000	1,670,190	1,689,730	644,260
1925	1,693,240	2,940,820	11,276,220	224,616,000	12,867,500	1,706,482	2,880,535	702,380
Field classification		259,180	1,653,061		373,020	28,941	102,122	72,735
Total, 1925		3,200,600	12,929,281	224,616,000	13,240,520	1,735,423	2,982,657	775,115
1926	797,585	2,633,590	11,918,270	199,095,000	9,999,000	1,879,310	3,218,409	794,495
1927	803,000	2,342,300	12,901,160	193,921,000	7,556,000	1,819,440	3,698,920	864,100
1928 [3]	852,000	2,297,550	12,599,685	222,708,460	11,618,800	1,807,880	3,362,715	921,220

Year	Territories, government in	St. Elizabeths Hospital	Columbia Institution for the Deaf	Howard University	Freedmen's Hospital	Miscellaneous	Total	Total, exclusive of Pension Bureau and Reclamation	Total, exclusive of Pension Bureau
1922	$4,028,950	$1,114,500	$106,000	$280,000	$116,020		$311,986,299	$24,878,379	$45,155,379
1923	4,618,620	1,100,000	104,000	190,000	118,555	[1] $8,016	293,367,124	24,320,933	39,120,933
1924	2,150,540	1,146,500	107,000	232,500	172,800	[2] 2,845,309	293,404,824	26,380,164	38,630,164
1925	1,314,310	1,008,000	109,000	365,000	174,700		261,541,687	24,170,987	39,534,146
Field classification	6,600						2,608,459	2,122,639	
Total, 1925	1,320,910	1,008,000	109,000	365,000	174,700		264,150,146	26,293,626	39,534,146
1926	1,912,237	1,023,000	113,400	591,000	202,950		234,178,246	25,084,246	35,083,246
1927	1,995,708	924,000	113,400	218,000	166,390		227,323,418	25,846,418	33,402,418
1928 [3]	1,620,200	929,000	113,400	388,000	188,000		259,386,910	25,059,650	[4] 36,678,450

[1] Miscellaneous relief acts. [2] Increase of compensation. [3] Proposed in accompanying bill. [4] 20 per cent reduction under 1922.

Then in 1925 there were appropriations carried for increases of salaries in the field which amounted to something over $2,000,000. Salary increases, then, of about $5,000,000 have been added to the bill, so that in effect the appropriations are materially below 1922, whether you consider them with or without pensions and reclamation. And it is to be remembered this is a department that was not appreciably expanded in the war period.

The bill before us carries $259,386,910. For the current year, including appropriations in the deficiency bill, it was $227,323,418. The bill, therefore, is $32,000,000 more than the appropriations for this department for the current year, but that is accounted for by an increase of $28,787,000 in pensions and an apparent increase of $4,000,000 in reclamation.

In connection with pensions, it is to be remembered that legislation became effective the 4th of August, 1926, early in the fiscal year, increasing pensions for Civil War veterans, the veterans of the Spanish-American War and their dependents, and the deficit for the current year that will result from the payment of pensions under that legislation will bring the total expenditures for pensions this current year up to $233,000,000, and the bill before us is only $221,000,000. The anticipated expenditure for 1928 will be $12,000,000 less than the expenditure now anticipated for 1927, due to the constant decrease in the numbers on the pension roll.

So far as the increase in appropriations for reclamation is concerned, that is apparent rather than real. Reappropriations do not appear in the figure before us. There was something over $7,000,000 reappropriated from previous years in 1927 and only about $2,000,000 reappropriated in the current bill, but the bill before you in reality is about $668,000 less for reclamation than the current year when reappropriations are taken into account.

	1927	1928
Reclamation Service, from reclamation fund, new appropriation	$7,481,000	$11,568,800
Reclamation Service, from reclamation fund, reappropriated	7,412,000	2,644,400
Total	14,883,000	14,215,200

Now with reference to the reductions in the bill below the Budget estimate. The bill before you is $1,151,586 lower than the estimate that came to Congress from the Budget, and that reduction of over $1,000,000 comes principally in three items: First, for the Pension Office, $287,540. Something like $150,000 is due to a reduction in the salary roll of the Pension Office. We found from the statement made by the commissioner that it would be possible during the coming year, in accordance with his program, to do with a smaller force in that office than was covered in the Budget figures. Then there is a decrease in the Reclamation Service of $564,000, which is because either of reappropriations or because of a provision in the bill, that I shall later refer to more fully, that makes other funds available instead of money from the Treasury. Then there is a $300,000 reduction in the appropriation for the Alaska Railroad. The Alaska Railroad has each year incurred an operating deficit, but it is a deficit that has gradually been reducing. It is the responsibility, of course, of the management of that railroad, in submitting their estimates, to be sure that the amount they have asked is going to be sufficient to carry them

through the year. It has been the policy of this committee, however—the item in question being an operating deficit—to set a mark lower than this outside figure, knowing that their estimate, being made several months in advance of the opening of the fiscal year to which it relates, can not be entirely accurate. If our figure proves to be too low and they come before Congress half way in the year that is under consideration, then an additional amount can be given. We believe the amount given will be sufficient.

Now to touch upon some of the principal activities of the department, where there are provisions in the bill that will be of particular interest. I first want to call to your attention the item on page 9 of the bill with reference to the work of surveys of public lands carried on by the General Land Office. The appropriation recommended is $800,000, and that amount will be apportioned to the different States in proportion to the need of surveys and the amount of land that is available for surveys. I call your attention to a proviso in connection with that appropriation, a new proviso:

Provided further, That no part of this appropriation shall be available for surveys or resurveys of public lands in any State which, under the act of August 18, 1894 (28 Stat. p. 395), advances money to the United States for such purposes for expenditures during the fiscal year 1928.

I will here insert a copy of the act of 1894 and a copy of a letter from the Secretary of the Interior recommending the repeal of that act.

The act and letter referred to follow:

A bill to repeal certain provisions relating to the advancement of moneys for surveys, in the sundry civil act approved August 18, 1894, Twenty-eighth Statutes at Large, page 372, and for other purposes

Be it enacted, etc., That the provisions in the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, on page 395 of Twenty-eighth Statutes at Large, which read as follows, be, and the same are hereby, repealed:

"The governors of the several States herein named are authorized to advance money from time to time for the survey of the townships withdrawn at such United States depository as may be designated by the Commissioner of the General Land Office, and the moneys so advanced shall be reimbursable."

SEC. 2. That the foregoing provision of repeal shall apply also to the States of Utah, New Mexico, and Arizona: *Provided,* That nothing contained in this act shall prevent reimbursement to the several States for advances made prior to this act pursuant to the authority of the provisions herein repealed.

THE SECRETARY OF THE INTERIOR,
Washington, April 6, 1926.

Hon. ROBERT N. STANFIELD,
Chairman Committee on Public Lands and Surveys,
United States Senate.

MY DEAR SENATOR STANFIELD: The sundry civil act approved August 18, 1894 (28 Stat. 372), provided that it shall be lawful for the governors of the States of Washington, Idaho, Montana, North Dakota, South Dakota, and Wyoming to apply to the Commissioner of the General Land Office for the survey of any township or townships of public land, gave, under the conditions therein prescribed, to the States mentioned a preference right of entry for a period of 60 days after the filing of the township plats of survey, authorized the governors of the several States to advance moneys from time to time for such surveys, and declared the sums so advanced to be reimbursable. Such provisions were to apply to the State of Utah upon its admission into the Union, and were later, by the act of June 20, 1910 (36 Stat. 557), extended to the States of New Mexico and Arizona.

The act has been of material benefit to the States, as they have been enabled to indicate before survey the lands desired in the satisfaction of their several grants; but the provision authorizing the governors to advance moneys for the survey of the townships withdrawn and requiring the reimbursement of such sums is out of harmony with our Budget system. The States may or may not advance money for the surveys. If such advances are made, the Government must proceed with the survey of the lands, whereupon the States apply for reimbursement and the Congress is under obligation to make the necessary appropriation. It is impossible to anticipate in advance what action the States may take, and when the demand for reimbursement comes it must be reported as a deficiency. The departmental officers must appear before the Bureau of the Budget and before the committees of the Congress and justify the deficiency appropriation.

The Government has no choice in the matter, and must proceed with the survey whenever any State sees fit to deposit the moneys. The surveying organization must be immediately expanded without previous notice, or its activities diverted from other States in order to execute such surveys upon the demand of the State making the deposit. If the township designated is not within the range of the regular progress of the public surveys, the Government must either survey the intervening areas to the prejudice, perhaps, of other more deserving localities, or depart from its orderly system of surveying operations and carry forward lines of control for possibly long distances and at great expense in order to reach the areas designated for survey. While the cost of running such lines may be charged to the special deposit fund, yet in the end the expense must be borne by the Government, as the States are reimbursed for the full amount deposited. The Government should be left free to extend its surveys in such manner as to serve the public interests, and should not be required to divert the activities of the surveying service at the option of any particular State.

The provisions in the act of August 18, 1894, authorizing such advances by the States and directing that the moneys so advanced shall be reimbursable should be repealed, without prejudice, however, to the rights of the States that have heretofore made advances to secure reimbursement in the manner provided in said act.

I have drawn, and inclose herewith for your consideration, a bill to effect such purpose. It is requested that you introduce the bill and that it receive the favorable consideration of your committee.

Very truly yours,

HUBERT WORK.

Legislation to that effect is now pending before the legislative committee, and our committee does not have jurisdiction to provide for the repeal. We do believe, however, that it is very desirable that such a limitation should be carried as we have recommended. The act of 1894 authorizes any State to advance money to the General Land Office, to be used in making surveys in addition to the surveys ordinarily carried on. That money, when it is used, is reimbursable. The State of Idaho at one time made some use of that fund, but has discontinued doing so for some time. The State of Utah is the only State that now makes any use of the act of 1894. That State has made advances for this purpose.

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

Mr. CRAMTON. Mr. Chairman, I will have to take 10 minutes more. Those moneys have been advanced and then refunded to the State, until they have $100,000 on hand now which they are holding out to the General Land Office as a further advance, and as soon as that is used by the Government they will ask for reimbursement. They keep that money as a revolving fund, which results in the State of Utah making appropriations out of the Treasury of the United States, in effect. These advances tend in a degree to disorganize the work of surveys. We believe that the effect of the proviso we have included in the bill will be to destroy the incentive for such advances. There will be allotted to Utah in any event $50,000 to $60,000 from this item.

The total of appropriations carried in the bill for the Bureau of Indian Affairs is $12,599,000.

Mr. COLTON. Will the gentleman yield?

Mr. CRAMTON. I will yield to the gentleman.

Mr. COLTON. The effect, however, of the policy pursued by my State has been to very greatly facilitate the surveying of the public lands, has it not?

Mr. CRAMTON. In Utah.

Mr. COLTON. And has, therefore, of course, resulted in great good to the Government.

Mr. CRAMTON. To Utah.

Mr. COLTON. Well, to the Government as well.

Mr. CRAMTON. But if there is any purpose in the act of 1894 it would be that the State would advance the money and let the Government have the use of the money for a while, but Utah advances the money this year, and as soon as it is spent it comes in and wants its money, so the purpose of the act of 1894 is nullified. We think the proper procedure is for the United States to make as large an appropriation as is desirable when the bill is under consideration and not resort to advances from States which are immediately reimbursable.

Under the Indian Bureau, out of an appropriation of $12,500,000, there is available for education $6,383,000, and for relief of distress, conservation of health, about $1,000,000. So that over one-half of the Indian appropriations go directly for education and health. The policy of the committee has been to expand these items and to reduce wherever possible the gratuities and the rations and the overhead expense.

The appropriation for health in effect is larger than may appear on the bill, because there are expenditures out of other funds, out of Indian-school funds, and so forth, so that for 1926, while the appropriation was only $802,000 in the item "Relief of distress and conservation of health," there was an actual expenditure of $1,201,000 for this purpose from various items, as follows:

Cost of medical activities, fiscal year 1926

Relieving distress and prevention, etc., of diseases among Indians	$143,347.50
Indian boarding schools	84,601.53
Indian schools, support	57,105.13
Indian agency buildings	3,725.38
Hospital fund	430,382.38
Indian moneys, proceeds of labor	82,107.17
Support and civilization of Indians	131,562.72
Tribal funds	187,524.09
Other	81,256.84
Total	1,201,610.74

This does not include the figures for the following: Cheyenne and Arapahoe, Fort Mojave, Zuni.

In this bill in the one item, relief of distress and conservation of health, there is recommended $948,000, which is actually $68,000 above the Budget, this increase providing for more effective antitrachoma campaign, for more dentists, and for X-ray equipment.

The progress of education is highly gratifying. We provide for the education of the Indian children in special Indian day schools, in reservation boarding schools, by tuition in the public schools, and in nonreservation boarding schools, so that there are to-day more Indian children in school than ever before. Some 37,000 of them are in the public schools. I insert a statement by Superintendent Peairs summarizing the situation. It is sufficient to say now that 80 per cent of the Indian children, it is estimated, are attending school, as against not over 90 per cent average for all the children of the country.

It is a great satisfaction to be able to report that the recent reorganization of the bureau and field forces have been such as to make it possible to carry on a program of education in the broad and comprehensible way indicated to be desirable. During the fiscal year 1926 there were maintained 131 day schools having a total capacity of 5,519, an enrollment of 4,560, and an average attendance of 3,643. The great difference between enrollment and average attendance was due to the fact that in some sections of the country the Indians are extremely poor and compelled to keep their children out of school to work to help earn a livelihood for the family. In other places the busy season is in September and October, and again in the spring before schools close. The fact that the full capacity of the day schools was not utilized at any time in the year was due to the fact that in some districts the school population is less than the capacity. The average per capita cost of day schools varied from $56 to $300, depending very largely upon attendance. The general average per capita cost of day schools was approximately $110. There were in operation during 1926, 59 reservation boarding schools having a total capacity of 10,732, an enrollment of 11,778, and an average attendance of 10,462. The per capita cost varied from $160 to $300, the general average being about $219. Eighteen nonreservation boarding schools having a total capacity of 9,100, an enrollment of 10,321, and an average attendance of 9,133 were maintained at a per capita cost varying from $192 to $245. There were approximately 14,000 pupils enrolled in the primary grades, 8,000 in the prevocational—4, 5, and 6—grades, 3,759 in the junior high school—7, 8, and 9—and 900 in the senior high school. This distribution of enrollment is probably the most positive evidence of the increasing interest among Indians in education. The first full senior high-school course offered to Indians was at Haskell Institute in 1921. In September, 1925, similar courses were added to the regular courses at Chilocco, Albuquerque, and Salem, and in September, 1926, at Sherman Institute. Thirteen schools which formerly maintained only eight grades have been authorized to add the ninth grade, which puts them in the junior high-school list. Many of the day schools are maintaining both primary and prevocational grades. All are authorized to maintain six grades if, by so doing, the lower grades are not crowded out.

The enrollment of Indian children in public schools reached the highest mark during the fiscal year 1926, there having been approximately 37,000 in the public schools throughout the country. Enrollment in the public schools is encouraged in every possible manner, as it is a means of economy and at the same time is the best possible way to prepare the Indian young people to fit into community life and activities. Because of the large number of enrollments in public schools, the opportunities for bringing Indian communities and Indian families into touch with agencies for the improvement of rural life, such as the 4-H Clubs, the county health and agricultural clubs, the women's clubs, and many other local organizations, are being multiplied and the contacts are proving to be very beneficial. In fact, it may be said that through the cooperation of Federal school and reservation workers, public-school teachers and officers, and of various community agencies, the greatest progress ever made is now being made by Indians. Probably there never before has been such general interest in the welfare of the American Indian. The best possible use is being made of the limited funds available for all activities for the preparation of the Indians to assume their full duty as well as to accept the privilege of American citizenship. The appropriations for increasing school capacity have been made from year to year until over 80 per cent of Indian children are now in school. In fact, it is my opinion that there will not be much demand for increasing capacity of schools after units now in existence and being constructed are balanced up and entirely completed. The greater need in the future will be funds for the proper upkeep of material plants and for better equipment. Neither of these needs is now being adequately provided for. There is also a demand for more and in many instances better-qualified instructors. High schools are now being maintained on the same per capita cost as are lower-grade schools. This is not done anywhere else in the world and can not be satisfactorily done by the Federal Government.

As to reclamation, the following statement of resources and the status of the reclamation fund will be of interest:

Funds available, fiscal years 1924–1928

Item	Actual, fiscal year 1924	Actual, fiscal year 1925	Actual, fiscal year 1926	Estimated, fiscal year 1927	Estimated, fiscal year 1928
Sale of public lands and town lots	$710,810	$761,580	$510,600	$500,000	$500,000
Mineral leasing act	6,693,910	4,820,610	4,448,400	4,500,000	4,500,000
Potassium royalties	3,800	5,220	5,800	5,000	5,000
Power licenses	3,050	5,840	7,700	13,000	18,000
Subtotal, new money	7,411,570	5,593,250	4,972,500	5,018,000	5,023,000
Funds advanced	16,270	2,152,570	758,800	160,000	----------
Construction repayments	2,699,250	2,092,870	2,679,600	2,700,000	3,140,000
Operation and maintenance repayments	1,855,950	1,607,910	1,734,300	2,000,000	1,500,000
Miscellaneous repayments	1,172,360	1,299,140	1,428,000	1,000,000	1,000,000
Subtotal, repayments	5,743,830	7,152,490	6,600,700	5,860,000	5,640,000
Total receipts	13,155,400	12,745,740	11,573,200	10,878,000	10,663,000
Cash on hand beginning fiscal year	4,649,270	5,471,650	6,575,100	8,245,000	5,366,000
Total available	17,804,670	18,217,390	18,148,300	19,123,000	16,029,000

STATUS OF RECLAMATION FUND

The Bureau of Reclamation estimates that there will be available in the reclamation fund $16,029,000 during the fiscal year 1928. Of this amount $1,000,000 must be transferred from the reclamation fund to the general fund of the Treasury as the eighth annual payment on the "bond loan." The receipts and repayments to and withdrawals from the reclamation fund are estimated as follows:

Balance in fund July 1, 1926		$8,245,000
Reserved to meet outstanding obligations		1,500,000
Balance unencumbered		6,745,000
Based on estimates from the General Land Office and Federal Power Commission, new money for 1927 is estimated as follows:		
Proceeds sale of public land	$500,000	
Mineral leasing act	4,500,000	
Potassium royalties	5,000	
Power licenses	13,000	
		5,018,000
Repayments (based on executed and pending contracts) are estimated as follows:		
Construction repayments	$2,860,000	
Operation and maintenance repayments	2,000,000	
Miscellaneous	1,000,000	
		5,860,000
Probable total available for fiscal year 1927		17,623,000
Repayment on bond loan		1,000,000
		16,623,000
Interior Department appropriation act for fiscal year 1927:		
Amount carried	7,431,000	
Reappropriates unexpended balances of	7,413,000	
Authorizing total expenditures of	14,844,000	
Of which probably the following will not be expended:		
Boise, operation and maintenance	$250,000	
Huntley, drainage	60,000	
North Platte, operation and maintenance	350,000	
Newlands, operation and maintenance	75,000	
Spanish Springs, construction	445,000	
Baker, construction	490,000	
Umatilla, operation and maintenance	30,000	
Strawberry Valley, operation and maintenance	16,000	
Salt Lake Basin, construction	1,240,000	
Klamath, construction	250,000	
Yakima (Kittitas) construction	375,000	
		3,581,000
Probable expenditures		11,263,000

Probable balance July 1, 1927		$5,366,000
Estimated new money, fiscal year 1928:		
Proceeds, sale of public lands	500,000	
Mineral leasing act	4,005,000	
Potassium royalties	5,000	
Power licenses	18,000	
		5,023,000
Estimated repayments:		
Construction repayments	3,140,000	
Operation and maintenance repayments	1,500,000	
Miscellaneous	1,000,000	
		5,640,000
Probable total available during fiscal year 1928		16,029,000

The bill carries appropriations from the reclamation fund for reclamation of arid lands, for investigation, construction, and operation and maintenance, $11,568,800, and makes available for 1928 unexpended balances from 1927 amounting to $2,644,600, as I have before stated. I will leave any discussion of individual projects until we reach them in reading the bill under the five-minute rule.

I will, however, call to your attention two provisos that appear on page 62 of the bill. The first reads:

Provided further, That any moneys which may have been heretofore or may be hereafter advanced for operation and maintenance of any project or any division of a project shall be covered into the reclamation fund and shall be available for expenditure for the purposes for which advanced in like manner as if said funds had been specifically appropriated for said purposes.

Contracts made with the water users on certain projects provide for payment of a part or all of the costs of operation and maintenance in advance. Without the insertion of this proviso we must appropriate from the reclamation fund for operations and maintenance of such projects and the advances made go into the fund. We think it better not to take the money out of the fund in such cases, but to use such money as is advanced by the water users and thereby insure full compliance with such contracts. The second proviso is like unto it in purpose:

Provided further, That no part of any sum provided for in this act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than 12 months in the payment of any charges due the United States, and no part of any sum provided for in this act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than 12 months in the payment of any charges due from said lands to the United States.

This limitation does not change the law or alter or violate any contract, but it does make much more certain compliance with the law and the contracts where payments are not required in advance.

Both of these provisions are entirely in accord with the views of the Bureau of Reclamation.

We have a new item of $50,000 in connection with the National Park Service that I believe is of very great importance.

For purchase of privately owned lands within the boundaries of any national park, $50,000, to be expended only when matched by equal amounts by donation from other sources for the same purpose, to be available until expended.

In two of our national parks, especially, there are considerable areas of privately owned lands which are a menace to the proper administration of those parks. It is desirable that the Government should acquire these lands to guard against undesirable development by private owners and to make possible proper development by the Government. In order to state a Government policy and to make a start in the matter, we have recommended an appropriation of $50,000 to be expended for the acquirement of this land only when matched by equal amounts of donations from other sources. For instance, in Glacier National Park, there should be no continuance of the construction of the Transmountain Road until the private lands that are adjacent to that road and in that section of the park shall be eliminated, and in the Rocky Mountain Park it is very desirable we take some step in this direction.

I should like to bring the whole national park problem forcibly before you. There has been a 38 per cent increase in attendance in two years, as the following table shows in detail:

	1924	1925	1926
Hot Springs, Ark	164,175	265,500	260,000
Yellowstone, Wyo	144,158	154,282	187,807
Sequoia, Calif	34,468	46,677	89,404
Yosemite, Calif	105,894	209,166	274,209
General Grant, Calif	35,020	40,517	50,597
Mount Rainier, Wash	161,473	173,004	161,796
Crater Lake, Oreg	64,312	65,018	86,019
Wind Cave, S. Dak	52,166	69,267	85,466
Platt, Okla	134,874	143,380	124,284
Sullys Hill, N. Dak	8,035	9,183	19,921
Mesa Verde, Colo	7,109	9,043	11,356
Glacier, Mont	33,372	40,063	37,235
Rocky Mountain, Colo	224,211	233,912	225,027
Hawaii, Territory of Hawaii	52,110	64,155	35,000
Lassen Volcanic, Calif	12,500	12,596	18,739
Mount McKinley, Alaska	62	206	533
Grand Canyon, Ariz	108,256	134,053	140,252
Lafayette, Me	71,758	73,673	101,256
Zion, Utah	8,400	16,817	21,964
Total	1,422,353	1,760,512	1,930,865

A similar increase appears in the number of visitors to national monuments under the administration of the National Park Service.

Private automobiles entering the national parks during seasons 1924–1926

Name of park	1924 [1]	1925	1926
Yellowstone	30,689	33,068	33,194
Sequoia [2]	11,032	14,273	26,503
Yosemite	32,814	49,229	74,885
General Grant	9,118	11,108	12,869
Mount Rainier	38,351	39,860	38,626
Crater Lake	19,301	19,451	26,442
Wind Cave [3]	17,200	22,598	28,332
Platt [3]	[4] 57,400	[4] 60,000	45,796
Sullys Hill	----------	2,271	4,484
Mesa Verde	1,803	2,197	3,054
Glacier	6,756	7,585	6,727
Rocky Mountain [3]	[4] 53,696	[4] 58,057	[4] 50,407
Hawaii [3]	10,150	12,650	[4] 6,500
Lassen Volcanic	----------	2,646	5,423
Grand Canyon [3]	13,052	19,910	22,849
Lafayette [3]	12,561	9,381	15,361
Zion [3]	1,993	3,928	4,796
Total	315,916	368,212	406,248

[1] Automobiles entering parks with or without licenses to and including Sept. 30, 1924.
[2] License required only for Giant Forest Road.
[3] No license required.
[4] Estimated.

Summary of appropriations for the administration, protection, and improvement of the national parks and national monuments, together with the revenues received, for the fiscal years 1917 [1]–1927, inclusive

Year	Department	Appropriation		Revenues
1917	Interior	$537,366.67		
	War	247,200.00	$784,566.67	$180,652.30
1918	Interior	530,680.00		
	War	217,500.00	748,180.00	[2] 217,330.55
1919	Interior	963,105.00		
	War	50,000.00	1,013,105.00	196,678.03
1920			907,070.76	316,877.96
1921			1,058,969.16	396,928.27
1922			1,433,220.00	432,964.89
1923			1,446,520.00	513,706.36
1924			1,892,601.00	663,886.32
1925			3,002,657.00	670,920.98
1926			3,243,409.00	826,454.17
1927			3,238,452.05	----------

[1] For summary of appropriations and revenues prior to 1917, see 1920 Annual Report, p. 359.
[2] The revenues from the various national parks were expendable during the years 1904 to 1918, inclusive, with the exception of those received from Crater Lake, Mesa Verde, and Rocky Mountain National Parks, the revenues from which were turned into the Treasury to the credit of miscellaneous receipts.

This influx of visitors is making vitally necessary new improvements, additional water supply, sanitary facilities, campground facilities, and so forth, still the bill we are recommending to you, even after we have increased it some $85,000 above the Budget, is still over $300,000 less than the current year. This is due to the fact that the appropriation recommended by the Budget for construction of roads is one-half million dollars less than the current year. Our committee have been very loathe to make an increase in that item, even though we feel it is needed. To be worth while it would need to be an increase of from one-half million dollars to $1,000,000, preferably $1,000,000. While there should be an appropriation of two and a half million dollars for this purpose, we have been reluctant to go above the Budget figures to that extent. We have, however, increased the authorization to contract, which

in the Budget is one million and a half. We have increased that to two and a half million dollars, and I hope that if the recommendation of the committee meets with the approval of the House and the bill becomes a law in that form, it may lead to the adoption of the policy of spending two and a half million dollars a year on the roads. I will insert in the RECORD a statement of the road program:

UNITED STATES DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, December 6, 1926.

DEAR MR. CRAMTON: At your request the following data are submitted with respect to the current appropriation for roads and trails in national parks, the proposed allocations of the 1928 appropriations and obligations as contained in the pending bill, the proposed allocation of the 1928 obligation if increased by $1,000,000 and $1,500,000, and allocation of cash funds needed if authority to incur larger obligations is given. The tabulations of estimated expenditures (withdrawals of cash from the United States Treasury) have been carefully prepared and are believed to be conservative. A number of large contracts will shortly be completed and on acceptance by the department will draw large sums from the Treasury as the final payments include a retained percentage of 15 per cent of the total value of work performed by the contractors. In Yosemite and Grand Canyon new contracts are shortly to be advertised and on award the contractors will be enabled to commence construction immediately as work in these parks can be carried on the year around. Table 1 indicates that more cash than is now allotted to these Yosemite and Grand Canyon projects can be expended before June 30. This will be accomplished by transferring cash for obligation between Glacier and these parks.

It will be noted from Table 2 that with the estimated available cash after July 1, 1927, very little new work can be accomplished. Continued road construction in Sequoia National Park is to be handled by force account as in the past under the supervision of the Bureau of Public Roads as an excellent construction organization is available in that park. Costs of the Sequoia work compare most favorably with the costs being obtained under contract. Cash funds must, therefore, be allotted to carry on the force-account work there. The continued construction of the Cadillac Mountain Road in Lafayette Park is also being done by force account and hence cash must be allotted. The small amount set aside for Hot Springs is to complete the road work to be done in that park. An allotment of cash must also be made to enable the bureau to make final location surveys and prepare plans in advance of the construction program.

A brief review by parks of new work to be undertaken follows:

CRATER LAKE

For extension and surfacing Government Camp-Rim Road, grade and alignment completed this fall under contract, $92,000. When this work is completed there will be a modern, macadam-surfaced road from the Medford and Klamath entrances to the rim of the lake.

If obligation is increased by $1,500,000, improvement of Sand Creek or East Entrance would be undertaken. The State has completed this year a new road to this entrance from the Bend-Klamath Falls Highway. The park road to this entrance should be improved at the earliest possible date, estimated expenditure $50,000.

GLACIER

Of the obligation $100,000 is needed to meet contractual obligations for the Transmountain Highway. New work contemplated calls for completion of Two Medicine Road to Two Medicine Lake. This road was one of the first projects to be undertaken in Glacier by contract, but funds available have permitted reconstruction only to Trick Falls. The upper 3 miles to the lake will be handled under a new contract. The trip from Glacier Park Station to Two Medicine is the popular one-day trip in the park.

If obligation is increased by $1,500,000, an allotment of $250,000 would be made to reconstruct the Babb-Many Glacier Road on the east side.

After the park road program was inaugurated the State started to rebuild the Blackfeet Highway from Glacier Park Station to the international boundary line. The project is practically completed and is the main road on the east side to points in Glacier Park. There is now a modern road, surfaced with crushed rock, from Glacier Park Station to Babb, where the Many Glacier Road turns off, and to the international boundary. From Babb to Many Glacier, which is the focal point of travel in Glacier, the park road is very poor and in great contrast to the road across the Indian reservation. The most important project in Glacier is, therefore, to reconstruct the road into the Many Glacier region. The bureau estimates the cost at $363,000, but a contract of $250,000 could be economically handled.

GRAND CANYON

Contract will be let shortly for the construction and surfacing of the Grand Canyon-Grand View Road. The construction of this road eastward to Desert View, 12.35 miles, is proposed. No surfacing is contemplated for the present, as it is thought the natural material may suffice for several years. Estimated cost, $130,000. An all-year road eastward from Grand Canyon to Desert View has been needed for many years and is the most important road from a tourist standpoint on the South Rim.

The development of the North Rim by road construction also should be undertaken and to meet the increasing travel by motor to the North Rim it is proposed to start the Bright Angel-Cape Royal Road building the first section to the Neal Springs region with a spur to Point Imperial, one of the finest view points on the North Rim. This is a section of 11.10 miles, estimated to cost $295,000. A contract of $170,000 could be handled, but if the obligation is increased by $1,500,000 a contract for the entire amount of $295,000 would be entered into.

HAWAII

It is proposed to rebuild the Across-the-Island Road through the Kilauea section. The Territory has practically finished a paved highway from Hilo to park line and are starting the construction of this road on the other side of the park line. The Territorial and park work is all under the supervision of the Bureau of Public Roads and it is desirable to build the park section of this road at the same time work is going on outside. Estimated cost of the park section, $75,000.

HOT SPRINGS

The work contemplated is finishing a small section of paving on Hot Springs Mountain which could not be done with present available funds. Estimated cost, $1,200.

LAFAYETTE

Construction of the Cadillac Mountain Road has been carried under allotments of $25,000 annually since 1925, about $50,000 having already been expended. This work is under park service supervision and excellent results have been obtained. About $250,000 has been contributed for road work which has been carried on during the same period.

MESA VERDE

Under previous allotments the Mesa Verde roads, particularly the entrance road ascending the mesa, have been reconstructed on proper grade and alignment. However, these are dirt roads in a gumbo soil and during the rains in early and late summer it is practically impossible to traverse them. It is proposed to gravel them under an allotment of $100,000.

MOUNT M'KINLEY

Approximately $166,000, including $20,000 allotted by the Alaska Road Commission, have been expended to date on 22 miles of road extending into the park from McKinley Park Station. In order to fully complete this mileage a further expenditure of $60,000 will be required and an allotment in this amount is to be made the Alaska Road Commission. It is estimated that it will cost to complete the McKinley Park Road to McKinley Bar at the west end of Thoroughfare Pass, a total distance of 73.5 miles, approximately $500,000 additional. On account of the topography of the country, which naturally divides the work up into sections, it is estimated that about $100,000 a year could be economically expended in the further construction of the McKinley Park Road.

MOUNT RAINIER

During the next construction season approximately $740,000 can be economically obligated in Mount Rainier National Park. Of this amount $50,000 will be needed to meet the obligations incurred under the present West Side Highway contract. For the reconstruction of the upper 8 miles of the Nisqually Road from Glacier Bridge to Paradise Valley it is proposed to expend $200,000. The lower 12 miles of this road have been reconstructed and surfaced under contract, which is practically completed. In the complete reconstruction of the Nisqually Road five additional concrete bridges must be constructed at an estimated cost of $60,000. These bridges are located at Christine Falls, Half-Viaduct, above Glacier Bridge, First Crossing, Second Crossing, and Third Crossing of the Paradise River.

For completing the location surveys and plans for the north end of the West Side Highway $30,000 is required. It is proposed to push the completion of this survey and plans as early in the spring as possible, so that by late summer a further contract of approximately $400,000 can be entered into for the construction of the north end of the West Side Highway. Construction on this road will then be pushed from both ends, making it possible to complete this highway, which is one of the most important from the standpoint of development of Mount Rainier Park, within two or three years, depending on the funds made available for the work.

ROCKY MOUNTAIN

The Bureau of Public Roads has completed a number of location surveys in Rocky Mountain Park, and, providing the State of Colorado cedes jurisdiction to the park, any amount of money up to $500,000 could be economically expended in Rocky Mountain Park. An allotment of $199,000 is proposed from the obligation to be granted next

year. Reconstruction of the west side of the Fall River Road would naturally receive preference, but two other important projects could be undertaken. These are the Moraine Park extension of 3 miles and the Wild Basin Road of 5 miles, both of which are important in that they will give motorists an opportunity to visit parts of the park not now accessible.

SEQUOIA

Under previous allotments a new road has been constructed up the Middle Fork of the Kaweah River from Hospital Rock to Giant Forest. This is built on easy grades and has tremendously increased travel to Giant Forest, concentrating travel and camping in that area. Extension of the road northward to the Lodge Pole Camp is urgent to spread travel out in the park. The bureau has an engineering organization and construction equipment on the job sufficient to cover any reasonable amount of work, and under the program proposed for the coming season it is planned to continue the Middle Fork Road to Lodge Pole at an estimated cost of $80,000, reconstruct the present road from Giant Forest to Moro Rock, approximately 2 miles, at a cost of $30,000, and widen and improve grades on the first 3 miles of the Middle Fork Road between park entrance and Hospital Rock at an estimated cost of $30,000. This covers the amount of the proposed allotment, or $140,000, and as the work will be done by force account it will be necessary to provide cash to the extent of at least $80,000.

YELLOWSTONE

It is proposed to allot funds to Yellowstone depending upon the amount against which obligations may be incurred. Sixty thousand dollars will be required to meet obligations incurred under present contract, while either $125,000 or $200,000 can be economically obligated on additional work. Two main projects should be undertaken next year—the reconstruction of the Sylvan Pass section of the east entrance road and the reconstruction of the Gallatin Road running through the northwest corner of the park. This latter road connects with a modern highway running from Bozeman, Mont., up the Gallatin Valley to the northwest corner of the park. This road has become an important factor in Yellowstone travel, as stage service is now operated over it, giving the Chicago, Milwaukee & St. Paul Railroad an entrance into the park for rail travel.

YOSEMITE

Under contract shortly to be entered into for the completion of the paving of the roads, including necessary bridges, on the floor of Yosemite Valley, it will be necessary to provide for an obligation of $50,000.

It would be desirable to enter into a contract for beginning reconstruction of the Big Oak Flat Road. This is the main road into the park from Stockton, Calif., over which travel comes to Hetch Hetchy, the Tioga Road, and descending the north wall to Yosemite Valley. It is to be reconstructed through the national forest and the park, and under cooperative agreement entered into this summer a survey of the road has been made by the Bureau of Public Roads under an allotment of $4,000 from the California State Highway Commission, $4,000 from the Forest Service, and $4,000 from the Park Service. The bureau is also to make a survey of a new road from Mather Station to connect with the Tioga Road near Harden Lake for the city and county of San Francisco. The construction of this road is one of the requirements of the Hetch Hetchy grant to the city of San Francisco. The city has allotted $6,000 for this survey. The Big Oak Flat project, therefore, is one of great importance, as it involves construction to be undertaken by the State highway commission, the Forest Service, and the Park Service, and indirectly by the city and county of San Francisco. Actual construction, beginning on the park end, should be started next year and an allotment of $125,000 would be made if authority is granted to incur obligations up to $3,000,000.

ZION

It is proposed to undertake the construction of the Zion-Mount Carmel Road next year, the park section of which will cost approximately $1,000,000. The Utah State Highway Commission has pledged itself to undertake the construction simultaneously of its section of the road between the park boundary and Mount Carmel, which it is estimated will cost approximately $300,000. It is the opinion of the Bureau of Public Roads that it will require about three years to complete this road, and an allotment to cover the first year's work, or $365,000, is proposed. This includes funds for completing the final location surveys and the preparation of plans by the bureau in advance of construction.

BUREAU SURVEYS

An allotment of $30,364 in cash and a $20,000 obligation is indicated for the purpose of having the Bureau of Public Roads make final location surveys and prepare plans in advance of construction projects. This work must be undertaken if the program is to be carried on systematically.

ENGINEER AND LANDSCAPING

Under the agreement with the Bureau of Public Roads thorough landscape supervision is to be carried on by the landscape division of the National Park Service. This requires an allotment to cover the expenses of the landscape engineers in making the necessary inspections, beginning with the preliminary location surveys, up to inspection of completed projects. The allotment also includes necessary engineering expenses by Park Service engineers.

Sincerely yours,

STEPHEN T. MATHER, *Director.*

Hon. LOUIS C. CRAMTON,
Chairman Subcommittee of House Appropriations
Committee for the Interior Department,
The Capitol, Washington, D. C.

National park road program

Projects	Total cost	Estimated expenditures to June 30, 1927	Estimated expenditures from $1,500,000 cash in 1928 plus unexpended 1927 funds	Obligations		Funds needed to complete projects if $2,500,000 obligation granted	Remarks
				Budget figure, $1,500,000	Committee figure, $2,500,000		
Crater Lake, Anna Spring-Rim Road	$138,000	$46,000		$92,000	$92,000		
Glacier:							
Transmountain Road	2,061,600	571,600	[1] $240,000	[1] 100,000	[1] 100,000	$1,050,000	Total cost this project covers mileage of 49 miles from Belton on west side to foot of St. Mary Lake on east side.
Two Medicine Road	118,100	58,100		60,000	60,000		
Grand Canyon:							
Grand Canyon-Grand View	269,471	119,471	[1] 150,000				
Grand View-Desert View	206,000			130,000	130,000	76,000	
Bright Angel-Cape Royal	683,000			170,000	295 000	388,000	
Hawaii:							
Chain Crater Road	160,000	80,000	[1] 80,000				
Across-the-Island Road	120,000			75,000	75,000	[2] 45,000	
Hot Springs, mountain roads	79,200	78,000	1,200				
Lafayette, Cadillac Mountain Road	250,000	75,000	25,000			150,000	
Lassen, Loop Road	642,000	160,000	[1] 129,000			353,000	
Mesa Verde, North Entrance Road	205,491	105,491	50,000	50,000	50,000		
Mount McKinley, McKinley Park Road	706,000	130,000	[1] 16,000	60,000	60,000	500,000	
Mount Rainier:							
West Side Highway	2,570,000	150,200	[1] 350,000	[1] 80,000	[1] 480,000	1,589,800	Of the amounts starred $50,000 applies on present west side highway contract.
Nisqually Road	524,122	264,122		260,000	260,000		
Rocky Mountain:							
Fall River Road	1,060,000			199,000	199,000	861,000	Allotment contingent on State's cession of jurisdiction.
Bear Lake Road	187,406	61,406	[1] 81,000			45,000	
Sequoia, Generals Highway	1,091,000	344,000	80,000	60,000	60,000	607,000	
Yellowstone:							
East Entrance Road	1,045,000	18,800	[1] 64,000			962,200	
Gallatin Road	360,000	1,000	[1] 90,000	60,000	185,000	84,000	

[1] Funds that will be needed to meet contractual obligations incurred under the authority of the 1927 appropriation act.

[2] For surfacing.

National park road program—Continued

Projects	Total cost	Estimated expenditures to June 30, 1927	Estimated expenditures from $1,500,000 cash in 1928 plus unexpended 1927 funds	Obligations		Funds needed to complete projects if $2,500,000 obligation granted	Remarks
				Budget figure, $1,500,000	Committee figure, $2,500,000		
Yosemite:							
Valley Floor Roads	$1,151,950	$901,950	[1] $200,000	[1] $50,000	[1] $50,000		
Big Oak Flat Road	1,073,000					$1,073,000	This project shown as Rocky Mountain funds may be transferred here.
Zion, Zion-Mount Carmel Road	1,085,000			15,000	365,000	705,000	
Washington office			5,000	5,000	5,000		
Engineering and landscaping			14,000	14,000	14,000		
Bureau surveys			30,364	20,000	20,000		
Total	15,786,340	3,165,140	1,605,564	1,500,000	2,500,000	8,489,000	

[1] Funds that will be needed to meet contractual obligations incurred under the authority of the 1927 appropriation act.

There has come about a very successful and desirable cooperation between the National Park Service and the Bureau of Public Roads with reference to the building of these roads, the Bureau of Public Roads making the survey and planning the roads. They have the idea of the kind of roads we want in the parks. They are to be scenic roads. They are somewhat different in construction from the ordinary commercial highways, and the Bureau of Public Roads gave evidence of understanding that desirable feature. I think they are taking pride in the development of this great system of park highways which will stand as a monument to the Bureau of Public Roads, a system which, to take care of the parks properly, will ultimately cost something over $30,000,000. Automobiles are crowding into the parks every year in greater numbers, and the construction of these roads should not be unduly delayed; and I hope this recommendation may meet with the approval of the committee and may lead to a more liberal expenditure in the future.

I have only one more matter and that is in connection with the Alaska Railroad. I have already referred to the reduction of $300,000 we propose in the item to care for its operating deficit. The following statement will be of interest:

Operating revenue and expenses of the Alaska Railroad

	Fiscal years 1916–1923	Fiscal year 1924	Fiscal year 1925	Fiscal year 1926	Estimated, fiscal year 1927	Estimated, fiscal year 1928
Revenues:						
Rail line	$2,835,329.92	$837,524.71	$797,439.82	$994,354.60	$1,125,000.00	$1,250,000.00
River boats		69,649.17	63,797.42	73,157.27	75,000.00	75,000.00
Total revenues	2,835,329.92	907,173.88	861,237.24	1,067,511.87	1,200,000.00	1,325,000.00
Expenses:						
Rail line	9,924,576.66	2,609,523.27	2,426,546.67	2,130,488.45	2,300,000.00	2,220,000.00
River boats		111,513.05	108,687.93	106,225.46	100,000.00	105,000.00
Total expenses	9,924,575.66	2,721,036.32	2,535,234.60	2,236,713.91	2,400,000.00	2,325,000.00
Operating deficit	1,523,971.10	1,813,862.44	1,673,997.36	[1] 1,169,202.04	1,200,000.00	[2] 1,000,000.00
Appropriations	1,400,000.00	1,245,000.00	1,302,400.00	1,200,000.00	1,200,000.00	1,000,000.00
Deficiency	[3] 123,971.10	[3] 568,862.44	[3] 371,597.36			
Surplus				30,797.96		

[1] Estimated, $1,500,000.
[2] Estimated, $1,355,000.
[3] The deficiency shown was covered by funds available from previous appropriations and by other resources, including material on hand.

That road was constructed as a Government project in order to aid in the development of that tremendous Territory, Alaska. The Alaska Railroad can only, of course, carry the passengers that go to Alaska.

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

Mr. CRAMTON. Mr. Chairman, I shall have to take three minutes more.

There is no doubt that the number of people who would each summer go to Alaska for one purpose or another would be greatly increased if it were possible to get to Alaska. But the steamer facilities are the neck of the bottle and greatly retard the growth of that traffic.

One who desires to make the trip to Seward will find that unless he has four or five months in advance secured his passage he can not get steamer accommodations from Seattle or other ports to Seward. The private lines do not seem to develop accommodations necessary with the speed that is very desirable.

We discussed the matter with the general manager of the railroad, Mr. Smith, a very experienced railroad man who has made a fine showing since he has been in charge of the railroad, and I shall insert in the RECORD his letter on the point which has led us to put in the bill language authorizing the operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad.

It is not expected that that is going to involve any large expenditure; possibly it may not require any Government expenditure, but we think that the management of the railroad should have the power to cooperate with the Shipping Board or other Government agency in the establishment of facilities in getting persons to Alaska.

NOVEMBER 26, 1926.

Hon. LOUIS C. CRAMTON,
House of Representatives, Washington, D. C.

MY DEAR MR. CRAMTON: Referring to the matter of providing additional facilities for the accommodation of tourist travel to Alaska, and for other purposes, and complying with your request at the hearings to-day, the following language for authority to cover the purposes indicated is respectfully suggested:

"Operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad."

It will be noted that I have specified "coastwise" vessels, rather than restrict the operation to voyages between Seattle and Seward; this is chiefly for the reason that the most feasible plan may call for operation between Juneau or Skagway and Seward, connecting with the White Pass and Yukon Route, and the Canadian and other boats operating to Skagway. This would provide greatly increased accommodations for tourists and other passenger travel to and from the railroad

territory. Furthermore, it would be necessary to make a number of stops, at various ports, in order to give tourists the same opportunities as are afforded by the present lines.

I have also in mind the possibility of providing freight and passenger service to near-by points, from Seward and on Cook Inlet from Anchorage, where the present service is inadequate.

We do not have in view the maintenance of any service that will not be at least approximately self-supporting. To a great extent the service we have in mind will be practically extension of the service of the railroad to embrace a much larger area in Alaska and connect the interior districts with the population and industries along the coast. In the matter of freight service this will be especially effective in the handling and development of coal shipments.

Very truly yours,

NOEL W. SMITH, *General Manager.*

Approved:

HUBERT WORK, *Secretary.*

Now, gentlemen, I have not felt it desirable to take any more of your time but I would be glad to answer questions.

Mr. GILBERT. If the gentleman will yield, I was going to suggest that he ought to take sufficient time to give what information is desired, and I would be glad to get some information on another subject.

Mr. CRAMTON. I will be glad to answer the gentleman and give him the information he desires if I can.

Mr. GILBERT. How does the appropriation for St. Elizabeths this year compare with the appropriation last year?

Mr. CRAMTON. It is $5,000 greater.

Mr. GILBERT. An investigation on the part of the District Committee disclosed that there were about 1 employee to every 4 or 5 patients in the St. Elizabeths Hospital, and the average over the United States is 1 employee to 10 patients.

We found that the consumption of coal was twice as much, and I would like to know to what extent the committee went into those matters.

Mr. CRAMTON. The committee found that there were at least seven investigations into the affairs of St. Elizabeths, either under way or completed. I think the reports are all available, except one ordered by Congress and made by the Comptroller General. In view of the many investigations our committee felt that it would be better to await the results of all the investigations rather than inaugurate one ourselves in the limited time we had. As soon as the reports are all available I have no doubt that whatever change in methods, whatever change in personnel, or other matters connected with that institution are necessary, I assume that those will be made. Our committee did not think that we should attempt another investigation before we got the results of the other investigations that will soon be available. I thank the House for your attention. [Applause.]

Mr. GILBERT. I will say that this institution is twice as expensive as any other hospital in the United States.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield 20 minutes to the gentleman from Texas [Mr. JONES].

WHY SHOULD THE INTERSTATE COMMERCE COMMISSION CONTROL NEW RAILWAY CONSTRUCTION

Mr. JONES. Mr. Chairman, under the transportation act of 1920, the Government undertakes through a Washington bureau to supervise the growth and development of the entire transportation industry. Before a company can invest its money, before it can build a mile of trackage, no matter how pressing the need, it must secure a permit from a far-away and busy commission. This tends to stifle individuality and to bind all railway activity with the cords of Government red tape. Before a solvent railway company can build an extension it must file application, have an expensive hearing, and wait for months and sometimes years before the bureau gives its consent. And a man who sits at a desk in Washington, who, perhaps, never saw the section through which the proposed extension is to run, and who has nothing but second-hand information, and with a thousand other duties to distract his attention, matches his judgment against the officials of the road who have made, in some instances, a life-long study of the country served by their institution, and who are willing to back their judgment with their money. That individual, or that collection of individuals at Washington, has the absolute right to deny the application and prevent the new construction. Only the virtue of absolute necessity can justify such tremendous power. In my judgment no such justification has been offered.

During the closing days of the last session my colleague [Mr. RAYBURN], for whom I have a very high regard, made a speech in the House in which he defended the provision for absolute control by the Interstate Commerce Commission and opposed the measures which have been introduced for its repeal. He has made a study of the transportation problems and made the best presentation of the present act that I have seen. However, when the practical operation of the law is taken into consideration his position, in my judgment, is wholly untenable. In the course of my remarks I shall comment on the position taken by him and others who agree with him.

THE PRESENT LAW HAMPERS ANY GROWING SECTION

I have the honor to represent a district of 53 counties, a territory as large as the State of Ohio, with a soil as rich and productive as any under the flag, with the greatest oil and gas field in the United States; a district that grows one-half of the wheat and one-seventh of the cotton that are produced in Texas; a district that has more than doubled in population within the last six years, or since the enactment of the Esch-Cummins law. Yet in that district there are nine counties that are untouched by a railroad, and county seats more than 30 miles from any railroad. During the operation of this law less than 100 miles of new railways have been built in the district, and during the first five years of its operation not a mile was constructed. The new law may satisfy a section of the country that was fully developed under the old law of freedom of construction, but it is expensive and discouraging to one that is in process of development.

COMMISSION CONTROL SHOULD NEVER HAVE BEEN GIVEN

When the proposed provision was inserted in 1919, foreseeing this very situation, I offered an amendment striking out the provision for control of new construction on the part of the commission. (See CONGRESSIONAL RECORD, November 14, 1919.)

The amendment which I proposed was defeated by a narrow margin in the House. Several of us then joined in the fight to place the question of new construction, which did not propose to cross a State line, within the power of the respective State commissions. This arrangement for State control was put into the bill as it originally passed the House, but in the Senate the provision for Washington control of all new construction was reinserted and became a part of the law.

DIFFICULTIES UNDER PRESENT LAW

As indicative of the difficulties encountered in the application of the present law, I desire to cite some instances. I shall enumerate cases in the section with which I am familiar, but which I am sure are duplicated in other growing portions of the country.

About two years ago a number of roads and proposed roads filed application to build new lines and extensions in Texas. These involved more than 1,000 miles, several hundred of which would have been in the district which I represent.

A new line—the Texas, Panhandle & Gulf—was proposed to run from Fort Worth, Tex., through west Texas, a distance of several hundred miles. A short time afterwards the Fort Worth & Denver City Co. filed application to build through eight counties, which involved some 200 miles of new construction. Thereafter the Santa Fe proposed some new construction on the South Plains. These applications have been pending two years and not a crosstie has been laid, and not until about two weeks ago was any decision rendered by the commission, and this is still subject to a motion for rehearing before it is final, although it will probably not be made. Regardless of what the final decision may be, anyone familiar with that country must admit that new construction should have been begun there two years ago, and would have been but for the provision in question. These applications have all been pending before the commission. In the meantime the hauling of wheat, cotton, and other products 20, 30, and 40 miles to the railroad, and the hauling out of supplies and building materials, have cost the country hundreds of thousands of dollars.

About 18 months ago the Rock Island Railway applied for permission to build from Amarillo, Tex., through the North Plains, and through the great oil fields that have been developed there. It was resisted by other railway interests. Finally the other road withdrew its resistance, and about one year later both roads were given permission to build. But in the meantime the largest oil field in the country, with a production of 200,000 barrels per day, became congested 20 and 30 miles from any railway. The price of oil fell from $2 to about $1.20 per barrel, and the loss thus occasioned has been far more than enough to have constructed both lines. There are 8,800,000 barrels of oil now in storage there, many wells pinched in and many others on the sand, due in some measure at least to the fact that the same could not be handled at the proper time. This involves tremendous waste and loss. Had these branches been constructed promptly, as they were proposed, the gathering lines could have been constructed in time to have handled the oil as it was produced and thus have saved great losses.

Other parts of Texas, especially the southern portion of the State, also have proposed construction, nearly all of which has been held up pending decision by an already overworked commission.

COMMISSION NOT WHOLLY TO BLAME

The Interstate Commerce Commission can not be blamed for all this trouble. It already has all that it should be called upon to do in passing upon applications for changes in the rate structure of the country, many of which applications are delayed for months before final action. This in itself is work enough for any commission. Necessarily, therefore, they must depend upon an examiner, who goes on the ground and hears the interested parties and who in conducting such hearing must go for his information to the very companies and people who are involved. He then makes his report to the commission. They must thus depend on secondhand information and opinions. Even then they may and do have important rate questions pressing for attention which can not be displaced by new matter. Their action is thus delayed until other or longer extensions may be needed before the first ones are passed upon. In the meantime, in order to serve a theory of national transportation, practical agricultural and commercial life must twiddle its thumbs and sustain its losses, while desk men theorize as to a community's right to develop.

No such control was had when James J. Hill built the Northern Pacific into the great Northwest, nor were Harriman and other builders so handicapped when they constructed the great transcontinental lines. These builders had roads constructed before a commission would have had time to send out an examiner. And what if a commission had told them they could not build?

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

Mr. JONES. Yes.

Mr. GILBERT. Under what enabling clause of the Federal *Constitution* do they hold that this Federal agency has that power wholly within a State?

Mr. JONES. They have practically construed, I will say to the gentleman, that all railway operations joining up become interstate in operation under the interstate commerce clause. I do not agree with that construction, but I believe that is the basis on which it is sought to be justified.

Mr. GILBERT. In the rate they hold it is because they come in conflict with interstate rates.

Mr. JONES. I would rather not go into that, because of the limited time allotted me.

Mr. GILBERT. I understand it is the interstate commerce clause.

Mr. ALLGOOD. Will the gentleman yield?

Mr. JONES. If I had more time.

Mr. ALLGOOD. Do I understand competitive lines are partly responsible for this delay?

Mr. JONES. In some instances they are.

THE PROBLEM OF UNWISE CONSTRUCTION

The fact that certain roads have been built that should not have been constructed is wholly beside the question. In the first place, most of these have been constructed by companies without adequate financial responsibility. It might be all right to have the commission or some other body clothed with authority to require financial responsibility before construction, proof of which could be made in a very short time. But it is a far cry from such safeguarding to an absolute damper and veto on all construction.

Even if mistakes have been made, they involve a mere pittance in the total costs of national transportation. All great businesses and business men make mistakes. That is the way progress is made. Factory buildings have been constructed where they should not be. Is that an argument for Government supervision of factory construction? There are power plants in the United States inhabited by bats. Does that justify a Washington bureau to grant permits for building construction? Automobile companies have failed. Should the Government require hearings and permits before the building of automobiles? The same is true of airplanes, tractors, trucks, and a thousand other ramifications of business in the intricate development of this great country. Should the Government take charge of all these? Are we to abandon individuality and plunge headlong into socialism because, forsooth, some mistakes have been made?

And with it all might not the Government make a few mistakes?

Some mention has been made of the expense and waste of unwise building. It costs the Government at least 20 per cent more to run any business than it costs private enterprise to operate the same business. Does that qualify the Government or a Government bureau to be an expert on waste?

TOTAL RAILWAY MILEAGE

The Interstate Commerce Commission informed me by letter dated November 26, 1926, that the total applications for abandonment of railways in the United States aggregate 1,132 miles, and that the total railway mileage is 244,750. Thus the total applications for abandonment are less than one-half of 1 per cent of the total mileage. I doubt if any other line of business can show so small a percentage of mistakes in building development. It is idle to talk about this increasing the cost of transportation even though all of these applications for abandonment were granted, which of course will not be done.

Besides, freight rates have been much higher under the present régime than they were prior to the taking over of the railways. There should be less and not more Government control. There should be a material reduction of freight rates all along the line. The commission should be handling that problem instead of supervising building construction in distant localities.

STATE COMMISSIONS

And if, by any possible theory, a Government permit is to be required for new construction, why not limit the Interstate Commerce Commission's authority to interstate railroads and leave construction wholly within a State to State commissions? This would bring action nearer home, would be in keeping with the principle of State rights, and would enable a decision to be had on new projects with reasonable promptness. I believe the State commissions could be trusted not to permit too much paralleling or useless construction.

In my judgment, when an established railway, familiar through a period of years by actual contact and business operations with a stretch of country, is willing to risk its funds, or when a solvent, well-financed new company is willing to build a railway wholly within a State, it should have the privilege of doing so. However, if it is thought some further safeguard is necessary the State commissions should be charged with this responsibility. On no other basis can there be full development of the rich resources of the South and West.

IMPORTANCE OF TRANSPORTATION

Transportation is vital to the life of any country. It is especially so in this land, with its great and divergent interests. Those interests call for a free exchange of commodities and adequate facilities for that exchange. In so far as practicable those facilities should be unhampered and free from Government interference. Some regulation may be advisable, but only such as is necessary to prevent monopoly, and the evils that flow therefrom, especially in reference to excessive charges, which are frequently the result of unrestricted monopoly. When Government control goes beyond this it goes beyond the province of government. Such control as is necessary should, in so far as possible, be localized. It should never amount to supervision.

The institutions of America have had a marvelous growth. Her business organizations are the finest in the world. Crowded into a single century has been the greatest development any land has ever known. At the head of the various transportation systems and other business organizations are men who are paid high salaries. They are paid for their ability to make quick and accurate decisions. They are paid for action, for a few months' delay may change the entire aspect of a problem. Should all of these be changed and supervision had with all its interminable delays, its irritating uncertainties, and its hampering of initiative? Shall we desert the principles that have made us great for the doubtful pampering of Government supervision? I do not think so, even though that Government be the finest in the world. [Applause.]

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

Mr. MURPHY. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SHREVE].

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

Mr. SHREVE. Mr. Chairman and gentlemen of the committee, I desire first to express my high appreciation of the remarks of our very distinguished chairman of this subcommittee [Mr. CRAMTON] when he said that it was the purpose and intent of his department to try to increase the traveling facilities between United States ports on the Pacific and Alaska, that great wonderland of the North.

Now, as one of the original supporters of the bill for the construction and operation of a railroad in Alaska, I have given close attention to the conflicting reports regarding the operation and success of that project. A desire to get the facts at first hand and on the ground prompted me to visit Alaska last summer.

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

Mr. SHREVE. Yes.

Mr. ELLIOTT. Can the gentleman inform the Members of the House when the first appropriation was made for the Alaskan Railroad?

Mr. SHREVE. As I recall, the first appropriation was made in the Sixty-third Congress. President Wilson sent a message to Congress recommending an appropriation of $35,000,000 for the construction of a railroad in Alaska. It was on February 18, 1914, that the bill was passed. The record will be found in the CONGRESSIONAL RECORD, volume 51, part 4, page 3647.

I traveled over the line from Seward, the salt-water terminus, to Fairbanks, the interior terminus, a distance of 470 miles. During the last 100 miles I was accompanied by Mr. Noel W. Smith, the general manager, with whom I discussed operating conditions. I supplemented my observations by discussions with citizens in various Alaskan towns. I left Alaska convinced that my earlier decision had been fully vindicated, and that the Alaska Railway is now being handled with exceptional efficiency and is doing a splendid work in the development of the latent resources of our northern frontier.

It is evident, even to the casual observer, that here is a Government enterprise stripped down to essentials and operating as an efficient business unit. The passenger trains carry no excess coaches and they operate strictly on schedule—three trains each way a week during summer tourist season and biweekly service during the winter months. During the past year 90 per cent of the passenger trains departed and arrived at terminals on time and 98 per cent arrived less than two hours late. This is a better record than is attained by many of our western roads operating over mountain divisions.

Stations are neat and in good repair, and those not vital to good operation have been eliminated.

The roadbed is in fair shap for the light-traffic burdens. It is ballasted throughout with gravel and at several places additional balast is being added to bring it up to grade. I was particularly impressed to note that at the river crossings steel bridges with concrete piers are replacing the temporary timber structures.

It is often said that an enterprise of this sort is either dominated by political pressure or else attempts to dominate politics. I found no hint of this in connection with the Alaska Railway. The present management impressed me as a strictly business régime and stands resolute against such tactics. I am happy to report that the Department of the Interior apparently appreciates the type of service rendered and that it backs up this stand.

FINANCIAL AND OPERATING STATUS

The following critical figures tell their own story:

	Fiscal years		
	1924	1925	1926
Commercial freight carried:			
Coal ..... tons	27,843	28,426	32,553
All other ..... do	31,648	25,439	32,483
Total ..... do	59,541	53,865	65,046
Passengers carried, revenue	$49,468	$48,269	$57,567
Average number of employees	1,056	981	980
Average number of miles operated	543.7	543.7	543.7

REVENUE FOR THE FISCAL YEARS 1924, 1925, 1926

	1924	1925	1926
Rail line:			
Passenger	$169,139.53	$171,552.07	$202,834.26
Freight	433,174.09	412,194.17	566,810.95
Miscellaneous	235,011.09	213,693.58	224,709.39
Total	837,324.71	797,439.82	994,354.60
Water line:			
Passenger	16,864.75	16,672.70	17,643.05
Freight	21,337.91	19,977.14	25,827.56
Miscellaneous	31,465.06	27,147.58	29,686.66
Total	69,549.00	63,797.42	73,157.27
Rail and water:			
Passenger	185,986.28	188,224.77	220,474.31
Freight	454,511.28	432,171.31	592,638.51
Miscellaneous	266,476.15	240,841.16	254,396.05
Total	906,873.71	861,237.24	1,067,511.87

EXPENSES, FISCAL YEARS 1924, 1925, 1926

	1924	1925	1926
Rail line, total maintenance and operating expense including replacements	$2,617,025.97	$2,426,546.67	$2,130,488.45
Rail and water line, total expense as above	2,718,211.20	2,535,334.60	2,236,713.91

DEFICIT, MAINTENANCE, OPERATION, AND REPLACEMENTS FISCAL YEARS 1924, 1925, 1926

Rail line		$1,629,106.85	$1,136,133.85
Water line		44,890.51	33,068.19
Rail and water line	$1,113,862.44	1,673,997.36	1,169,202.04

Investment in road and equipment

Total investment in road and equipment from the beginning of the project, up to and including the fiscal year 1924	$52,782,700.59
Fiscal year 1925	484,692.56
Fiscal year 1926	672,891.15
	53,940,284.30
Pay roll:	
1924	2,498,431.00
1925	2,051,027.00
1926	1,914,548.00

These figures tell us that the operating revenues are increasing steadily each year and in the face of this increasing business expenses have been reduced.

MAINTENANCE AND IMPROVEMENT OF THE RAILROAD

The conditions along the Alaska Railroad were not at all those that I expected to find. The weather was most pleasant and there was no suggestion to bear out the general supposition that Alaska is a land of ice and snow. Luxuriant vegetation grew everywhere and no heavier clothing was required to protect one from the wind or cold.

The general aspect of the railroad would indicate conditions very similar to those that we encountered in our travels over the transcontinental lines between Chicago and the Pacific coast; however, we are informed that the climatic conditions during the winter months, while they do not in themselves differ materially as to the degrees of temperature encountered, are of much longer duration, and that the snowfall and range of temperature differed materially over various sections of the line, as, for instance, on the coast range between Seward, and 75 miles thereof, the snowfall during the winter was very heavy and continuous, and that in the spring considerable difficulty was encountered due to the snow sliding from the steep sides of the mountains on the railroad tracks; also crossing the Continental Divide on its southern slope weather conditions for snow are also heavy and continuous, but it was surprising to learn that only in these two places was it necessary to maintain a rotary snowplow, or, in other words, two snow fleets, consisting of a rotary plow and locomotives to propel it, necessary men for the operation of the engines and plows, were able to keep the road in active operation during the entire winter, but that it was necessary to maintain these two snow fleets continuously on this work from about the 1st of December to the 1st of May, and the other portions of the line have such a light snowfall that the difficulties encountered in keeping the road open are not any greater than those encountered on our eastern railroads.

The line crosses two great barrier mountain ranges, the grade of the first barrier, just north of Seward, is 2.2 per cent, or the same grade as the transcontinental railroads that cross the Sierra Nevada and coast ranges. The Continental Divide is crossed with a grade of 1.75 per cent, which compares favorably with the grades in existence on the eastern railroads crossing the Alleghanies. To show that these grades are not of the character that the popular impression of Alaska would picture them, small locomotives used on the Alaska Railroad, which were formerly used on the Panama Railroad, are able to haul the passenger trains over the grades without helping engines; but we were advised that the management of the railroad was alive to the economies to be effected by the use of two engines to a train and, so far as the freight service justified it, two engines were used over these grades. Another popular delusion is that the railroad is located at high altitude. It was surprising to learn that the altitude of Broad Pass is 2,337 feet, in contrast to the Northern Pacific, which crosses the Rocky Mountains at 5,592 feet, and the Cascades at an elevation of 2,852 feet.

It was quite apparent, by reason of the numerous trestles where there was no necessity for them, from the narrow cuts

and banks and from the evidence of the peculiar action of the glacial streams and slides, that somewhat unusual difficulties were encountered and costs of operation were higher than if the road were entirely completed. It was noted that appropriations made by Congress for this purpose were being applied at the points where the needs arising out of these difficulties were most acute.

Much was heard of the difficulties of maintaining track, particularly on the north end of the line, where the track was laid on glacial muck and frozen ground, the thawing under the track, which takes place when the moss is removed, having not yet been completed, requiring constant surfacing and filling with gravel by the section forces.

We noted a very extensive renewal of ties was being made and were advised that this is due to the fact that the road was originally laid with native spruce ties, which was impracticable because this timber rots rapidly, and are being replaced with hemlock and fir, because of longer life, and in a few years the tie renewals would be much lower than at present. The ties which we noticed being removed from the tracks were very much decayed and could not safely be left in the track any longer.

ECONOMIC CONSIDERATIONS

No intelligent man can expect a railroad built into a virgin undeveloped country to become immediately a profitable venture. Particularly when the Government is the landlord over 95 per cent of the contiguous territory. This was ameliorated in the case of our western roads by land grants.

In the case of the Alaska Railway increased revenues are being secured each year and the operating deficit is being correspondingly decreased. It is not now handling its maximum tonnage. No man who understands the undeveloped condition of Alaska would expect this. It is handling an increasing tonnage each year and there is reason to expect that within a reasonable period of time it will operate without a deficit. I can illustrate briefly: Before the completion of the Alaska Railway the major industry of interior Alaska was placer gold mining. These operations were conducted through small individual plants and were profitable only in favorable areas of rich placer gold concentration. These operations accounted for about 50 per cent of the recoverable placer gold reserves of the interior. The remaining areas were not profitable to this type of operation, particularly during the period of rising commodity prices with the price of gold fixed at $20.67 per ounce.

The completion of the railway attracted the attention of several large mining companies to this area. For example: In the Fairbanks district I found the Fairbanks Exploration Co., a subsidiary of the United States Smelting, Refining & Mining Co., actively engaged in a gold-dredging project designed to extend over a period of 20 years. Their new and modern office building of concrete-block construction testifies to the expectant permanency of the project. In the past three years they have expended $2,000,000 in preliminary work, and their plans call for the expenditure of $5,000,000 prior to actual production. Here is an interesting comparison: The construction of the Alaska Railway cost $56,305,000 plus $6,205,000 operating losses, making a grand total of $62,510,000. The engineers of the Fairbanks Exploration Co., as a result of systematic churn-drill sampling of the gold-bearing gravel, estimate that the ultimate gross recovery of gold from the ground embraced by their project will exceed the cost of the Alaska Railway.

In company with Mr. Metcalf, general manager of the company, I visited these operations. I watched the construction work on an 80-mile ditch line. Here I found steam shovels manufactured in Ohio and Wisconsin, automobiles and trucks from Michigan, tractors and drilling machinery from Minnesota, Wisconsin, and New York; even boilers manufactured in my home town in Pennsylvania. In short, all of our industrial States in the East are represented, and obviously these States draw their material from all parts of our Nation. It was then that I appreciated fully how the construction of a railway builds up the territory through which it passes and that the resulting traffic is an inadequate measure of the values created by that railway. Thus new markets are opened in this vast Territory of Alaska, a country which otherwise would have remained dormant. Mr. Metcalf turned to me and remarked:

> Mr. SHREVE, if it had not been for the construction of the railway and if this area had not been traversed by gravel roads constructed by the Alaska Road Commission, our project would not have been possible.

He also gave credit to the work of the United States Geological Survey, which, years ago, mapped the topography and geology of this area.

The interior terminus of the railroad taps an area larger than the State of Texas. The towns of Fairbanks and Nenana are the distributing centers for this vast area. They are the funnel necks, and the sides of the funnels flare outward to embrace the Tanana and Yukon watershed with its connecting roads and trails. You will appreciate this when I state that there is more commercial aviation per capita out of Fairbanks than any other town or city on the continent.

The Yukon River and its chief tributary, the Tanana River, form the main drainage and water-transportation channels for the interior. The railroad does not reach the Yukon, but it has ready access to it through the Tanana River. At the town of Nenana the railroad crosses the Tanana River on the second longest single-span bridge yet constructed. During open season of river transportation the railroad operates two river boats out of Nenana for combined freight and passenger service. Last summer barges of lead-silver ore from the Mayo district in Yukon Territory were being towed into Nenana for railroad transfer to ocean ports. Formerly this ore was shipped over the White Pass Railway, a Canadian line.

Near Fairbanks I visited the Alaska Agricultural College and School of Mines, which is the last of our land-grand colleges, and is similar in organization to our State colleges. At this northern outpost of higher education I was surprised to find modern and well-equipped laboratories and to learn that the attendance during the fourth year, just completed, totaled 160 students. It provides a modern college for the youth of the Territory—draws adventurous young men to Alaska, many of whom will remain to grow up with the country. In the winter months it draws the grizzled prospectors from the hills for the mining short course, where they gain a rudimentary knowledge of geology and the testing of minerals. The college is another enterprise which developed as a result of the railroad. Thus we find the railroad as the base of a new economic structure which is being created in Alaska. All are interwoven with the railroad and the railroad is dependent upon them.

WHY THE RAILROAD SITUATION IS IMPROVING

The tourists have recently discovered Alaska, and rightfully so, for it is a country of marvelous scenic grandeur. The railroad is fostering this tourist travel and securing a substantial passenger revenue from this source. Nowadays the tourist who desires to know Alaska is not content with a boat trip along the coast to view the glaciers. He uses the railroad to penetrate the interior to Fairbanks, and may stop off for a visit to Mount McKinley National Park. From Fairbanks one may drive by automobile over the Richardson Highway to Chitina and return to the coast over the Copper River & Northwestern Railway.

Freight traffic is increasing, due to natural industrial response to cheaper and better transportation. The railroad passes through practically virgin territory and should in time cause the development of an important mineral industry. Many new mining developments are now in progress. The United States Geological Survey is cooperating through mapping the country and reporting on the areas adjacent to the railroad belt. Several discoveries have been made in outlying districts and the Alaska road commission is aiding by building feeder wagon roads and trails and also constructing suspension bridges over impassable rivers.

The railroad management is conducting investigations of possible new industries to utilize the natural resources. For example, all of the brick now used is shipped in from the "States," yet good brick clays are known to exist adjacent to the railroad. The railroad is utilizing native birch for their furniture and for refinishing the interior of passenger coaches, thus demonstrating its possibilities. The experimental farms at Fairbanks and Matanuska last summer raised experimental plots of sugar beets—a forerunner of a possible beet-sugar industry. I visited these fields and can testify as to the luxuriant growth of the various crops. We saw these fields late at night, but with the summer sun still at work—a splendid exhibition of the intensity of their summer growing season. It has now been demonstrated that there are certain crops, particularly the root vegetables, which can now be raised in Alaska in competition with those shipped into the country. This year the railroad fitted up a railway car with a small demonstration cannery which was used to can several varieties of vegetables grown in the Matanuska and Tanana Valleys. Investigations are now in progress upon the establishment of a creamery and milk dispensary. In short, the section of Alaska opened by the railroad is a raw country just setting out on a normal, healthy period of development. Not, however, a development which calls for the immediate colonization by a great army of settlers—that would be disastrous—rather, a steady, normal development stimulated by actual needs.

SUMMARY

In conclusion I wish to repeat that I found the Alaska Railway in exceptionally capable hands. The project is doing

just what it was intended to do—aid in the development of our northern frontier—and it is showing results.

I do not regard it as an experiment to test the theory of Government ownership of railroads. Conditions and problems are entirely dissimilar from those of our well-established lines in the "States." I do regard it as a splendid demonstration of the manner in which a progressive Nation can effectively stimulate the development of a distant frontier. I believe our investment there is a good one. [Applause.]

Mr. MURPHY. Mr. Chairman, I yield 20 minutes to the gentleman from Wyoming [Mr. WINTER].

The CHAIRMAN. The gentleman from Wyoming is recognized for 20 minutes.

Mr. WINTER. Mr. Chairman and gentlemen of the committee, I had really anticipated taking time to-day upon a general subject which properly comes under the general debate on the Interior Department bill, but it is too extensive, and I hope at a later period, when there is more time available, to say something with reference to the Western States and the entire public-land question generally, involving areas of 200,000,000 acres of public domain and involving various reservations that have been made in the 11 Western States of something like 200,000,000 acres more, and involving further the matter of mineral school sections, a subject which is likely to come before the Congress and before the House in the very near future; also involving the general question of water rights in the Western States and, lastly, including the mineral leasing act.

You can see that this is a series of very important subjects that could not possibly be discussed in the short limit available in the time allotted to-day. I do want, however, to make a few remarks on the general subject of reclamation, a subject coming within the purview of the bill before us. We have had in prior hearings and sessions a great deal of legislation mainly in the way of relief and extension of time to the settlers on the various reclamation projects. After a great deal of labor and a great deal of investigation, involving a lot of time and much effort on the part of a fact-finding commission, we finally enacted at the last session, last spring, an omnibus relief bill which eliminated from these reclamation projects quite a large area of worthless land. In passing I just want to mention that legislation and say to you that it has clarified the atmosphere and brought about a much better state of feeling throughout all the projects. It has inspired the settlers with renewed hope and courage. Among other things that it has resulted in is the establishment of districts for nearly all these reclamation projects by which the settlers become collectively responsible for the payments to be made under the contracts with the Government. The payments will be assessed and collected as taxes are collected in those States. I am satisfied that this arrangement is going to result in a uniform increase and a regular payment of all the installments called for by the contracts with the settlers.

That legislation further resulted in a number of new contracts extending the time for the settlers, which makes it possible for them to succeed on projects where success might otherwise have been impossible. I want to bear testimony at this time to the good results of that legislation of last year; also as to the legislation in the appropriation bill which extended the time of these contracts from 20 years to 40 years. A number of the districts were able to make contracts dating back to the act of December 5, 1924, which were based upon a 5 per cent payment on the gross production value of the crops from the lands, a sort of automatic arrangement which equitably fixed the payments in harmony with the different classifications or productive power of the lands.

I have here a communication from the Secretary of the Interior, which is a tentative suggestion of a 10-year building program, the general proposition being laid down by the Secretary that after estimating the income from the return payments of the settlers and the payments of royalties under the leasing bill, all of which return to the reclamation fund, the total amount would not be more than sufficient to take care of the completion of the existing projects; and that, therefore, there was not contemplated the initiation or beginning of any new projects during that 10-year period. I am constrained to believe that the Secretary has underestimated the amount which will be returned annually to the reclamation fund. I believe that under the new contracts and under the bettered conditions the settlers are now going to be able to make regular and constant repayments in accordance with their contracts; but the point at which I think the Secretary has underestimated the amount that will be returned year by year to the fund is in the royalties coming to the Government under the mineral leasing act. I want to say that subsequent to the estimate made by the Secretary there have been disclosed in the Salt Creek oil field two more deeper sands of great productive capacity. The first one is known as the Lakota sand and the second one as the Sundance sand. These two sands had not been disclosed when the Secretary made his estimate. I am happy to report that from my State and from my county, in which the great Salt Creek field is situated, there will be a steady production to the full capacity of the refineries located there, so that there will not be a diminished return during the next 10 years from that field, but a steady production, and therefore a regular return to the Government in royalties year by year during the 10-year period.

The last sand discovered this summer, known as the Sundance sand, was the result of one test well which was driven into that sand and in a 24-hour test it had a proved daily capacity of 5,880 barrels. This is an entirely new sand, absolutely unknown at the time the Secretary made his estimate. There can be no question but what the full capacity of the refineries there—something like 60,000 barrels per day—will be fully met, the refineries running at full capacity. This means steady, maintained royalties for the reclamation fund.

This suggestion of the Secretary, of course, has not been adopted or made official by any committee or by the Congress; it is a tentative plan, and I am strongly in hopes and believe that the estimate will be exceeded by many hundreds of thousands of dollars each year. In other words, I do not believe that at this time, seeking to govern the action of future Congresses, that any such program of limitation upon new projects should be adopted.

In the main the projects in my State are very sufficiently taken care of in the present bill. I am pleased to note the appropriation for operation and maintenance for the Frannie division of the Shoshone project. However, there is one project which I desire to call to your attention and that is the project known as the Riverton project. This is a project where the Government has already expended some $3,500,000 in the construction of a dam and in the first few miles of a very large canal; also the construction of a subsidiary reservoir known as the Pilot Butte Reservoir. Up to this time this entire cost has resulted in the possibility of the irrigation of about 15,000 or 20,000 acres at a cost, if the project were stopped at that point, of something like $184 per acre, a prohibitive cost. By the extension of the canal at this time from the point at which the work has now progressed some 14,000 acres more could be covered by the expenditure of something like $500,000, making an average cost per acre of about $48, and another body of land, by still further extension of the canal, of 26,000 acres at a cost of about $35 per acre, or an average cost for the additional 40,000 acres of $40 an acre. Contrast this with the area and the cost of the project if it were halted at its present point, $184 per acre.

Now, in this tentative program the Secretary has not excluded this project but he has indicated that no appropriation would be made for this year and none for next year and that construction will not proceed until the year 1929. I am unable to see the logic or the reason or the justice or the business principle which induces the Secretary or the Budget or the Appropriations Committee to halt the progress of this project at this time.

Mr. CRAMTON. Will the gentleman yield?

Mr. WINTER. Yes.

Mr. CRAMTON. The gentleman, of course, fully understands that the 10-year program referred to has no status in law; it has not been approved by Congress, but is simply the present attitude of the present Secretary of the Interior. There has been no decision that there should be the expenditure the gentleman refers to even in the year 1929.

Mr. WINTER. I have so stated. That this is a tentative program put forth by the Secretary and that it has not been adopted by any committee or by the Congress. However, I notice that the only appropriation made in this bill for this project is an amount sufficient for operation and maintenance of the area now covered by the canals. Last year the department made an estimate to the Budget of several hundred thousand dollars to continue the construction work; the Budget saw fit to cut that down to the amount, I believe, of $50,000, which was for operation and maintenance. That amount was cut out of the appropriation and the amendment which I offered on the floor to reinstate it was defeated in the House. This year the department made an estimate for a continuation of the construction.

Mr. CRAMTON. Would the gentleman mind if I interrupted?

Mr. WINTER. Not at all.

Mr. CRAMTON. My recollection is—although I am not sure I am correct—that a supplemental estimate came in last year for construction on the Riverton project but that that,

when offered as an amendment by the gentleman, was defeated. Am I correct in that? I think there was a supplemental estimate for construction on the Riverton project last year.

Mr. WINTER. I think that was inserted for the sum of $250,000 when the bill reached the Senate, and eliminated in the conference committee. As it left this House there was no appropriation whatever.

Mr. CRAMTON. But there was an estimate from the Budget, as I recall.

Mr. WINTER. There was, yes, for $50,000, which was eliminated by your committee.

This year when the department made its estimate to the Budget in an amount sufficient to carry on the construction work, the Budget did not make the allowance or include it in its report, for the reason and upon the theory that the action of this House one year ago in eliminating the $50,000 operation and maintenance provision indicated the purpose of this Congress to abandon or cease all construction on this project.

I do not believe this was the intention of the House, and I am quite confident it was not in the mind of the chairman of the subcommittee and I would be very glad if the gentleman from Michigan [Mr. CRAMTON] might indicate at this time whether the action taken on the Riverton project last year was in any sense a determination to close construction absolutely on this project.

Mr. CRAMTON. My recollection, and I have not been able to refresh the recollection, but my recollection is that the amendment that the gentleman offered and the efforts the gentleman made to continue construction at Riverton were opposed by me on the ground that it was not desirable to proceed for some time with the construction of that project. In doing so it is my recollection I quoted Doctor Mead, Director of Reclamation, in statements to that effect here. In other words, since the gentleman has asked me the question, it is my recollection that our committee did oppose, and the House sustained us in our opposition, construction at Riverton, at this time at any rate.

Mr. WINTER. I submitted an amendment to restore the $50,000 which had been included in the report of the Budget and that was defeated. My point now is that the Budget this year is taking that action as an indication of the intention of Congress not to proceed at all with this project. It was under this erroneous opinion they refused the department's estimate. Such is not the gentleman's understanding, is it, of the intention of Congress in its action last year?

Mr. CRAMTON. Of course, if the gentleman means by "at all," at no time in the future; but I think if the gentleman limits it to a reasonable period, the Budget would be entirely justified in having that understanding.

Mr. WINTER. I did not assume there was to be an unreasonable period elapsing here before construction would be resumed on the project. That is inconceivable. Even in the tentative program of the Secretary there is an estimate for 1929. I do not know, upon a reading of the bill, just what I shall have to offer in the way of amendments, but on behalf of these people and this section of the State, which is providing seven-eighths of the entire reclamation fund, I should at least make an effort here for a reasonable amount of appropriation for a continuation of the construction. There is every reason in favor of such action by the Congress, and I have never heard one good reason advanced why it should not continue.

It is very essential in this project that a test, which is being made as to the settlement of certain units that are now open for entry, should not be based upon the small plot of land which is now covered by the project.

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

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

Mr. WINTER. I might explain in support of this statement that the area which is now available for settlement involves but the first little angle of land comprising perhaps 15,000 or 20,000 acres, 40 miles removed from the railroad. It is the poorest land in the entire project, and if construction should cease there, as I have explained, that land alone would bear a cost of $184 an acre to repay the construction cost of the Government thus far. By the expenditure of a very reasonable amount we can bring in an additional area of 40,000 acres, as I have explained, at an average cost of but $40 per acre, with better land and land situated much nearer the railroad, which is a very essential factor in the success or nonsuccess of any project. In other words, the further we go in this project, the more and better land it will cover and the nearer we will be to the railroad and to the markets.

Under these conditions construction should not cease at this point. I had in mind that a cessation of this work, even until 1929, would work a hardship upon this project for the reason that without the hope of a further area of better land, with better access to the railroads, the units which have now been opened up for settlement, can not be successfully entered. The people must have a greater area. They must be able by their numbers to cooperate in some way in order to receive all the various benefits which I need not enumerate of cooperation in the growing of crops and in the marketing of those crops.

In other words, to make a test of this project upon the limited area now thrown open for settlement would be absolutely unfair to the project and in no wise would indicate what this project, which is designed ultimately to cover 125,000 acres, could and would do if a greater area were open for settlement, with all the advantages and possibilities that that opens up, which is absolutely foreclosed to the settlers and to the small area which is now available.

I hope that in the judgment and wisdom of this House when the matter comes up further this situation and these arguments may prove to be persuasive. At some point I would like very much to hear the opinion of the chairman or some member of the subcommittee upon the reasons why among all the projects now under construction, construction on this particular project should now be postponed for two years, or more, to say nothing of a period of 5 or 10 years, as indicated by the chairman. I have not yet heard a sufficient reason assigned by anyone. I would be very glad to be informed if there are any conditions or facts of which I do not have knowledge at this time which lead to that conclusion. I believe I know the facts and they do not support or justify the committee's attitude. [Applause.]

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

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

Mr. MCKEOWN. Mr. Chairman and gentlemen of the committee, I rise to speak for a short time on a subject that has been much discussed in and out of Congress. I came here to explain a bill that I have introduced on the question of farm relief. This is the burning question now discussed among the people of the country. I have never criticized any man for his vote in this House and never expect to. I do not criticize men who differ with me upon any question. It is the duty of every Member of this House to vote his conscientious opinion on the measures presented with the single view in mind of voting for the best interests of the American people.

If the demagogues and fellows who are trying to seek self-aggrandizement outside of Congress would let Congress alone long enough for it to form some opinion of what is good for the country and get down to business, we could solve this question. I am not willing to say that the Congress of the United States composed of the men that make up the membership is unable to solve the problems that confront us in the question of agriculture.

I am impelled to speak early in this session for this reason. During the time I spent at home in going around through the district I saw the poverty and distress of the farmers of my section. At political meetings men came poorly clad, who seven years ago were prosperous and were well dressed. Their circumstances have changed not on account of any fault of theirs. Small merchants and large business men in that country are pinched financially. In the cotton fields of Oklahoma to-day are toiling farmers, their wives, and children with no hope of financial reward. They are gathering cotton and selling at a loss to pay on their debts. Santa Claus will not have a heavy burden to carry his load of Christmas gifts to little tots on the farms in Oklahoma's Cotton Belt this Christmas. The best Christmas gift to the American farmers that Congress could give would be the passage of a real farm relief bill.

Now, I am not offering this bill here in the spirit of opposition to a program of early relief, but I am offering this bill in the effort to do the best I can, to render the best service I know by giving the benefit of my thought to the Members of the House for their consideration. I have no pride of authorship; I am not so wedded to my ideas that I am unwilling to compromise them for better or different ideas. I have surrendered my ideas of the control of surpluses to the better judgment of the majority of the House and voted at all times for the relief presented upon the theory that I ought to help the American farmer or at least try out some plan.

Now, my bill undertakes to go to the very root of the trouble in the farm question. My bill undertakes to regulate and create a standard of production. Whenever the committee that is framed under this bill—and that committee is composed of a member from every State in the Union, because it is a national problem—the question of food and raiment reaches to every quarter of the Republic—my proposition is this; that this

committee when it should find the product of the farm is not returning the producer a fair return and that that condition is due to overproduction of that product, then the committee would have jurisdiction to determine, as far as it is possible for men to determine, what would be the standard requirement in the United States for that product sufficient to be fair to the consumer and at the same time give a fair return to the producer.

Men say, Oh, that is a dream, it can not be done. I do not claim to be the originator of this idea. I will say that I took the Stephenson Act as enforced in England in the product of rubber, which has been demonstrated to be the greatest agricultural measure ever put into effect in any civilized country, and I tried to work it out to apply to our American form of government. I will take cotton because that is the product suffering most from overproduction. If this committee should find that 12,000,000 bales of cotton would be the requirement for 1927 and that 12,000,000 bales of cotton would give the producer of cotton a fair return, then the committee would determine that 12,000,000 bales would be the standard of production for 1927. They would determine the standard not only as to the aggregate amount, but it would be necessary to determine what amount of pounds per acre based upon the greatest acreage we have had—48,000,000 acres as an illustration—and that return would be 125 pounds of lint cotton or its equivalent in seed cotton.

Now, this would be allocated to the several States producing cotton and proclaimed by a proclamation of the President of the United States. The American people are patriotic, and when the President of the United States, no matter whether he be a Democrat or a Republican, when he proclaims that the standard as fixed by the committee was 12,000,000 bales of cotton, or its equivalent, and that it would be allocated fairly, that in itself would be so persuasive to the average American citizen that each individual would secure his standard of production, and he would not undertake to violate that standard, because it would bring on him the condemnation of the patriotic citizens of his neighborhood. Now, how about the distribution of standards?

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

Mr. McKEOWN. In a moment. There will be a chairman, who will be the only man to draw a salary of any consequence. He would draw a salary of $10,000 a year and have his office here in the District of Columbia. The other members of that committee would draw a per diem. They would be required to meet under the law at least twice each year and at such other times as they were convened by the chairman. It would be the duty of this chairman to furnish blank certificates of standards of production, which would be distributed to the county agents, under the Agricultural Department, and if there were no county agents in any of the several cotton producing counties, then it would be the duty of the Secretary of Agriculture to appoint an agent for that purpose. Then, it would be the duty of this county agent or agent specially appointed to cause to be published notices in the newspapers of general circulation in the several counties, stating the dates and places where he would be to receive applications for certificates of standard production. Here comes in farmer A. He goes before the agent and says that he wants to know about these standards, and what is meant by it, what is compulsory about it. The agent is authorized to administer oaths without cost to the applicant, and the agent will ask him questions touching upon the question of his ability to make the standard that he requires. Here is one thing that you have to keep in mind. There are certain communities where land is so fertile that it will make a bale or half a bale of cotton to the acre. Then, there are other counties where there is such lack of fertility that they will make only 125 pounds of lint cotton to the acre, or perhaps not that much, or at least not more than that. In the allocation of these standards this agent will have to be granted some discretion.

For instance, as was called to my attention by my colleague [Mr. HASTINGS], if a man comes in who wants to plant 50 acres in cotton which are very fertile, then to give him simply a standard of 125 pounds to the acre would not be fair, because it would be so small in respect to the fertility of the soil that it would not be a fair standard. So that you must place some discretion in the hands of the agent. The standard can be arrived at by simply allocating according to the production of the several States, and then from the several States to the several counties.

Mr. HUDSON. But suppose this year that man's crop is an entire failure through climatic conditions. Will that board or agent next year allow him to plant a larger acreage so that he may recoup himself?

Mr. McKEOWN. I will explain that. We will say that farmer A is not satisfied with this agent's decision. He says that he does not give him enough standard. The agent will then select one of the farmer's neighbors and the applicant will select a man himself in the county, and those two will select a third man, and these three men, familiar with the farming conditions, will fix the amount of A's standard; and that will be final, and A will then be issued a certificate. But suppose a man comes and asks for a certificate for 300 acres of ordinary cotton land. He says that he wants to plant 300 acres, and there is nothing in the bill to prevent him from planting 300 or 500 acres; but the agent says 73 bales of cotton of 500 pounds each, in lint cotton or its equivalent in seed cotton, is the man's standard and that he will give him a certificate for the 73 bales of cotton, and the coupons in pounds may be pulled out when the man makes the sale. If the man makes a sale of 500 pounds of lint cotton, it is pulled out of this standard certificate. The purchaser pulls it out. When his standard is exhausted he finds that he has raised 25 bales of cotton more than he attempted to raise, because no man controls the seasons.

The question then is, What shall he do with his surplus? With cotton there are three things which we can do under this bill. He can either sell it for future delivery 15 months after the date of the President's proclamation, sufficient time to keep it out of the channels of the market during the time standard cotton is coming on the market, or he can hold it himself and not put it into the channels until 15 months afterwards; or if he decides that the price warrants it or his condition makes it necessary, he can sell the cotton for present delivery, but the contract of sale carries an excise tax of 5 cents a pound. That is not a tax on cotton, it is not a tax on the purchaser, but the contract of sale itself carries the 5 cents a pound.

Mr. STRONG of Kansas. How are you going to enforce the collection of that excise tax?

Mr. McKEOWN. Just the same as we make provision for the collection of the excise tax from contracts of sale of cotton on the exchange.

Mr. HUDSON. That is, the excise tax will be collected pro rata from the man who does not have a surplus as well as from the man who does?

Mr. McKEOWN. Oh, no. You can not tax a man who complies with the standard, because it taxes the contract of sale of noncertificated products.

Mr. HUDSON. But this man is not responsible for the increase which God gave to him over the other man.

Mr. McKEOWN. I know that, and the American people are not responsible for this condition here that is brought about by overproduction, but the farmer that deliberately plants more when he knows the market will not justify it should not be encouraged, as some of these bills undertake to encourage him. The viciousness of some of this legislation is that it tends to bring about the very thing that is destroying agriculture, viz, overproduction for the marketing season and its orderly marketing, and that is what my bill is undertaking to correct.

Now, let me show you. Take wheat. Suppose that they should find that we only needed 600,000,000 bushels of wheat for the American market, and the committee determines that 10 bushels per acre, based on 60,000,000 acres (about the largest acreages ever planted in America), would be the standard of production of wheat in the United States for a given year. A grower comes in and gets a certificate based on 1,000 acres to be planted in wheat. He comes in and gets a certificate for 10,000 bushels of wheat.

Mr. HUDSON. If the gentleman will indulge me one thing further. You can standardize the acreage planted, but how are you going to standardize your per acre? One man, by fertilizer, by care, and by preparation of his soil, produces away beyond the normal?

Mr. McKEOWN. I am just trying to show you gentlemen the proposition; I am not trying to say how much a man is going to grow out of his ground; but I am trying to present a plan that will standardize the amount going on the market during a given period.

Mr. WINGO. Will the gentleman yield?

Mr. McKEOWN. Let me finish this and then I will yield. When you fix a standard it is not fixing a standard to which you are going to hold him or suffer a penalty if he raises more than the standard; I am not asking it. I am simply fixing a standard market of his product which will be a persuasive standard to the American farmer. Say he has 10,000 bushels. Well, that man, if he be patriotic, would say, I can raise that 10,000 bushels of wheat on my land; I can raise that much wheat on 500 acres and not plant but 500 acres. He can then either put in other crops or he can let it lay out. Say, instead of 10,000 bushels, he raises 12,000 bushels. What takes place then? He goes ahead and markets 10,000 bushels under his certificate. When he finds he has 2,000 bushels left he does four things. He has one more option

than the man raising cotton. He may sell that wheat to another farmer who wants to feed it, or use it in any way except putting it on the market, or sell it to the cooperative organization for the purpose of holding it for market for a period of 15 months.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Colorado. I yield the gentleman five additional minutes.

Mr. McKEOWN. Thank you. Now, he can either put it himself on the market; but if he puts it in the market in opposition or at the same time his certificated wheat is going into the market, the purchase contract carries 30 cents a bushel excise tax.

Mr. STRONG of Kansas. How can you compel him to go and take out this certificate? He may say that he refuses to do that.

Mr. McKEOWN. If he does not take his certificate, all of his product is noncertificated product, and he can only sell in the three methods covered by uncertificated provisions.

Mr. STRONG of Kansas. What has the gentleman to say about the constitutional rights to prevent doing so?

Mr. McKEOWN. I will say this about it. I think the tax proposition in this bill is constitutional, and I think some of the best constitutional lawyers will say it is. The only difference we are having about the constitutionality of the bill is simply the question of whether or not the Congress in its regulation can take care of this situation. It is just as constitutional, I will say to the gentleman, as any bill for farm relief that we have voted on in the past in this House.

Mr. GILBERT. Will the gentleman yield?

Mr. McKEOWN. I yield to the gentleman from Arkansas.

Mr. WINGO. The gentleman said he was seeking to standardize the amount of the products that will be marketed. I was not altogether satisfied on the point in response to the question of the gentleman from Michigan. You might standardize the acreage but standardizing the product is a different proposition. We will take cotton in my State. For instance, I do not believe there is a county in my State that produced over two-thirds of a crop, and most produced less than 50 per cent of cotton that was produced last year, whereas over in Judge DRIVER's district, in eastern Arkansas, it is just the reverse, for there they produced a bumper crop. Suppose you had a method constitutionally—I have not heard of any—by which you restrict the amount of acreage a man might plant of cotton. That does not remove the uncertainty, because this year an acre of cotton that produced a bale of cotton may next year not produce over one-third of a bale, and an acre that produced a third of a bale this year might produce a bale next year. You still have an uncertainty about cotton. How can the gentleman get around that? Or an acre that produced a third of a bale of cotton this year might produce a bale next year. But you would still have the uncertainty as to the amount of cotton that is going to come on the market. How will the gentleman get around that? It is the surplus amount, in the first place, and, in the next place, the disastrous cotton that is dumped all at once. I am not asking that question in an antagonistic way.

Mr. McKEOWN. I understand that. I concede that every man is honest who is trying to do something here. In the first place, if this committee would take the largest acreage that has been planted in cotton it would be well, so that there are ample certificates to go around to the other planters. Now, these certificates are based on the largest acreage. That is the standard of production; but, of course, the gentleman from Arkansas knows we can not say how much at any time a certain acreage is going to produce. That is an indefinite and unknown quantity. But we do say that the standard can be arrived at for the producer just as the standard has been arrived at in the rubber country. In England they fix the standard by saying that the pounds of rubber produced in 1922 is the standard, and every sale of rubber that you are permitted to make is based upon the standard of pounds, not upon the necessary quantity of the product that you produce but upon the amount you permit to go into the market. That is what I am trying to do here. [Applause.]

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

Mr. CRAMTON. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HUDSON].

The CHAIRMAN. The gentleman from Michigan is recognized for 15 minutes.

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, during my time this afternoon I want to discuss some of the things that were brought on the floor yesterday in the discussion of the appropriation bill for the Treasury and Post Office. I am sorry that the delegation from Tammany, abetted by the nullificationists of Boston and a few other points, are not here to-day. A great deal was said concerning the opposition to the enforcement of the prohibition law because of its cost. That is not a valid argument. But this afternoon I want to emphasize for a moment the cost of enforcement to the taxpayers of the United States. The wets contended that they could not take the money from the taxpayers of the United States to enforce a law which they said was unenforceable. They brought that reason to bear upon this one item in the one bill. They said nothing about the provisions of the narcotic law, which have been as unenforceable as the eighteenth amendment or the Volstead law. But I want to take up a few figures and submit them to you.

COST OF ENFORCEMENT

The amounts directly expended by the Federal Government through the Prohibition Unit for enforcement of the eighteenth amendment was as follows:

1921	$6,300,581
1922	6,543,994
1923	8,135,842
1924	7,509,146
1925	9,203,384

In addition to this the cost of maintenance of the Coast Guard was increased, although the rehabilitation of that service would have been imperative even without prohibition.

The expenditures for law enforcement were not a great burden. Receipts by the Federal Treasury from fines and penalties replaced the greater part of this sum. Those records were as follows for the years named:

Year	Fines and penalties collected through Federal courts	Collected under tax and tax penalty provisions of act	Total collections
1920	$507,482.70	$641,029.34	$1,148,512.04
1921	2,418,117.00	2,152,387.45	4,570,505.00
1922	2,376,305.20	1,979,586.94	4,355,892.14
1923	4,366,056.00	729,244.23	5,095,300.23
1924	5,682,719.87	855,395.37	6,538,115.24
1925	5,312,338.38	560,888.07	5,873,226.45
1926	5,226,389.55	[1] 416,197.63	5,642,587.18

[1] This amount should have been $932,389.99, but balance (amounts accepted in compromise) were not reported to tax collection section in time for inclusion in official annual report, which would make a total of $6,594,857.17.

These receipts do not indicate the full return on appropriations expended. In many cases—90 per cent in some States—Federal agents have prosecuted their cases in State courts to avoid congesting Federal dockets and to obtain the heavier penalties prescribed by some State laws. It is estimated that from $8,000,000 to $10,000,000 is collected through these State and local courts.

Another item should also be entered on the credit side of the ledger—the value of the property seized by Federal officers. The official reports show that valuation to be as follows:

1921	$8,181,866
1922	5,872,092
1923	11,478,277
1924	10,843,881
1925	11,199,664

A large source of revenue also comes from tax penalties and forfeited bonds, and this is now available. More than $1,000,000 has been collected during the last year on these bonds, and $2,000,000 more are available. In addition, under the new system of sending the cases to the district attorneys for court action when there is no settlement, a large amount will be collected.

If these provisions of the law are fully used, as they should be, and other forfeitable bonds are collected, approximately $6,000,000 will be collected per year through this item alone. The cost of enforcement is now practically offset by the fines and forfeitures. The bootlegger, and not the law-abiding citizen, is the one who worries most about the cost of enforcement.

Take this $11,199,664, plus the $6,594,857.17 and the $6,000,000, as just stated, and we have $23,000,000 to offset any outlay of the taxpayer.

Now, I want to speak for a moment upon another item that is discussed, and that is the so-called wet referendums. These gentlemen on the floor of the House say they must abide by the referendum. I happened to have a referendum in my primary. Here is one of the samples of the literature which is sent out by those opposed to the enforcement of the prohibition law. This is a four-sheet paper put out by the Association Against the Prohibition Amendment. It gives, in a very distinct way, the impression that prohibition has failed, and then goes on to say how we are to correct it. Among other things it says:

You must contribute liberally so that our campaign of education will reach every voter in Michigan.

Register your protest now by contributing to-day.

On the other side it says this:

For the first time since prohibition was supposed to come into effect a powerful body of well-known citizens has organized to challenge it at the Michigan polls. It is particularly fitting that they should challenge it in the person of Congressman HUDSON, of Flint, who is running for renomination on the Republican ticket, for Mr. HUDSON was superintendent of the Michigan Anti-Saloon League when that organization made Michigan dry.

Mr. HUDSON himself estimates that it costs the league about $100,000 to carry that campaign; so if it cost the modificationists that much to conduct their campaign in Mr. HUDSON's district and elsewhere there can be no legitimate criticism from Mr. HUDSON or his dry colleagues. In fact the modificationists might spend a good deal more without affording the Anti-Saloon League an opportunity for legitimate criticism.

In other words, they appeal for $100,000 in that district for the campaign. On another side, quoting from Mr. Stayton, of Baltimore, speaking in the city of Detroit at a banquet launching the wet campaign, it says:

Take Representative GRANT HUDSON, from your State. He was in the employ of the Anti-Saloon League before he went to Congress.

It happened that my district knew that. There is no question about that. They knew it. Though that was four years before my campaign for Congress.

Then further down, another "ad," and there they call for still further contributions to assist in the referendum campaign. Through the mails went out this circular, a facsimile of a page supposed to be the size of a page in the Detroit Daily News. Superimposed upon the sheet in lines of columns upon one side it contains a sample "ad" which the Association Against Prohibition wishes to run in the Michigan campaign. On the marginal side they add the name of the committee.

My opponent in that campaign, who became, according to this pamphlet from which I quoted, the standard bearer of the Association Against the Prohibition Amendment, put on that list the names of men who were not within the district, though they were residents of the city of Detroit. It says:

There are 12,000 members of the National Association Against the Prohibition Amendment in Michigan. We wish to increase the membership to 100,000 this year. To get these members we will place advertisements like this in all the Detroit papers and some papers up State. These advertisements will cost a great deal. So we want every member of the association to pay their dues for 1926, $1, just as soon as possible. We are sending this appeal to those members whose names begin with the letters A, B, C, D, E, and F. We can run these advertisements once if these members renew their membership now. For later advertisements we will send an appeal to the other groups. We must defeat GRANT M. HUDSON. The members we get in answer to the advertisement will work to nominate Pengelly, our candidate against GRANT M. HUDSON, who has pledged to vote for modification.

Mr. UPSHAW. Will the gentleman yield?

Mr. HUDSON. I have only 15 minutes.

Mr. UPSHAW. I just want to be sure as to whether that is a case where the wets actually spent money in the public press to influence an election?

Mr. HUDSON. Yes. It would seem that way.

Mr. UPSHAW. From their talk yesterday it would appear that the Anti-Saloon League was the only one that did that.

Mr. HUDSON. I can not yield further. The following letter went out through the mail:

MICHIGAN DIVISION,
NATIONAL ASSOCIATION AGAINST THE PROHIBITION AMENDMENT,
Detroit.

Executive committee: Sidney T. Miller, chairman; Frederic W. Dennis, secretary; Robert Athey, assistant secretary to finance committee; George Harrison Phelps; Frank Kuhn; Edwin S. Barbour; J. Bell Moran; Henry Ledyard; Henry B. Joy, treasurer; Robert D. Wardell, secretary to political committee; Kirkland B. Alexander; Louis C. Wurzer; William Rawle Brown; John Slevin, M. D.; Herbert V. Book; and Archer L. Cornelius.

To members:

You have helped us in the past when the prospects of repealing the Volstead law were far from bright.

Now, success is in sight! The advantage is all in our favor. Your contributions made possible the National Association Against the Prohibition Amendment.

Your support secured the investigation of the Anti-Saloon League's slush fund. Now we know what prohibition cost! Now, the sentiment of the entire Nation is against the repressive and unenforceable laws that were secured against the desire of a majority of the people.

Consider the strength of the association to-day. See who we have with us. Help us now to carry the battle to victory. Send your contribution to Henry B. Joy, treasurer, No. 1828 Penobscot Building, to-day. Be generous.

Other leaflets were put out from which I make this quotation:

The recent senatorial investigation disclosed the fact that Mr. HUDSON accepted checks for making dry speeches while serving as a Congressman.

Mr. HUDSON is unquestionably a prohibitionist at heart, but is too much of a politician to run on the prohibitionist ticket.

Remember, voters! Remember, taxpayers! September 14, 1926, is your day. You can choose between these two distinctive types of men.

I submit that was a referendum pure and simple, put on by the Association Against the Prohibition Amendment in that district. And let me say, in that connection, that there was not one dollar spent in the sixth district by any organization connected with any dry movement; there was no speaker brought into the district; there was not a letter written; and there was no money spent in any way, shape, or manner by any such organization. Now, on the point as to whether this was a referendum. To show that it was I want to insert the following editorial from the Adrian Daily Telegram of September 17, 1926, the home city of our distinguished chairman to-day [Mr. MICHENER].

The editorial referred to follows:

[From the Adrian Daily Telegram, Friday, September 17, 1926]

OVER THE ROPES

What kind of excuses will the wets make to explain their complete knockout in the sixth congressional district? About the same kind that a pugilist would make after challenging his opponent and then being knocked clean over the ropes in the first round.

This contest in the sixth is worth taking a good look at while the facts are fresh, for GRANT HUDSON's nomination was a great deal more than a victory for GRANT HUDSON. It was a victory for the drys, and everything connected with it tends to make the dry victory the more decisive and spectacular and the wet defeat the more devastating.

Before studying the figures one should understand that this was no ordinary congressional race between two candidates of various qualities and merits, one of whom happened to be more or less dry and the other more or less wet. It was a straight-out finish fight between an extreme and conspicuous dry champion and a sled-length wet, chosen especially for that reason. Mr. Pengelly, who opposed Mr. HUDSON, was the wet men's hope of the sixth—the one man of all men picked by their astute leaders as the strongest possible opponent of Mr. HUDSON. There was no other issue involved. Each had a platform of just one plank—one a wet plank, one a dry plank. Both came from good-sized out-State cities—HUDSON from Lansing, Pengelly from Flint. To even it up still more, both are ex-preachers.

And consider further this fact, that Pengelly was put forward, and backed up, by the entire wet organization—district, State, and national. The sixth district was selected by the wets for a finish fight, because HUDSON was a peculiarly conspicuous and offensive dry. The national and State wet organizations wanted to get his goat. The eyes of the wet leaders in Washington and New York and Baltimore were on the sixth district fight.

And not only their eyes were on it, but their hands and their money were in it. They put up the hardest and cleverest campaign they knew how to. Their organization covered the district like a blanket—the old "block system" in the cities, with a worker in every block, exhaustive canvassing, lavish distribution of printed matter, letters, personal influence, everything that campaigners know how to use.

The wet leaders at first considered one or two other Michigan districts for their "test fight," but they decided on the sixth. It has three good-sized cities—Lansing, Flint, and Pontiac. It includes about 150,000 of Detroit's population, including the supposedly wet city of Highland Park and the still wetter foreign community of Hamtramck, each with over 50,000 population. Altogether the sixth was clearly their best bet.

And now for the figures. Let us see what happened.

HUDSON won hands down, very nearly two to one. He beat Pengelly in Oakland. He beat him in Genessee. He beat him in Ingham. He beat him in Livingston. He beat him in Wayne, and even in Detroit itself.

Pontiac, a factory city of 50,000, was counted on for a nice wet majority. It actually gave HUDSON 2,621 to Pengelly's 1,406. Every one of its 17 precincts gave a dry majority.

Flint, an industrial city of 150,000, was expected to drip with wet votes. It was Pengelly's own home town, too. And what did it do? It gave HUDSON 8,806; Pengelly 6,400.

We do not have the vote in Lansing separated from the rest of Ingham County, but the whole county gave HUDSON 11,105 to 5,598 for Pengelly.

Livingston, with no large town, went for HUDSON four to one.

And finally consider Wayne, home of the State wet organization. Given at last a chance to express itself, what did it say? It said by about 17,000 to 10,000 that it preferred HUDSON, the dry—HUDSON, the actively, conspicuously, offensively dry.

The wets in their search for alibis and excuses will have to put on high-power specs.

Was the vote light this year, so that it wasn't a fair test? No; heavy for an off year—nearly double that of 1922 and three-quarters that of 1924, which was a presidential year.

Was the Wayne vote scanty this time, letting the dry farmers swamp the "liberal" city folks? Wayne cast 38 per cent of the district vote in 1924. It also cast 38 per cent in 1926.

But can't the wets at least point out that the dry majority in the sixth is smaller than it was in 1924, showing that HUDSON and the drys are slipping? Not even that grain of comfort. HUDSON won by 18,903 two years ago and by more than 27,000 this year—though the total vote was smaller. In 1924 HUDSON won by 72,514 to 53,611. This year, with 45 Wayne precincts still missing, he got 53,653 to Pengelly's 27,384. In 1924 he beat his opponent by 36 per cent; this year by just about 100 per cent.

And, cruellest cut of all, HUDSON made his biggest gain right in Wayne, cradle of wet liberty. In 1924 he lost the Wayne precincts by 9,657; this year he carried them by 8,227.

Before election the wet leaders said the sixth district fight was the most significant in the entire country. They were quite right. It was.

Now, Mr. Chairman, I have only referred to that editorial in order to bring in the matter of a referendum, as it appeared in my district, where the Association Against the Prohibition Amendment made it a national fight.

Now I want to discuss in the balance of my time another feature that was brought into this discussion, and that is the matter of campaign expenditures. In view of the fact that it seems to be open season for investigating campaign expenditures, I desire to call your attention to the large sums raised by the wets to finance this fight to modify the national prohibition act or nullify the Constitution. The contributions to that end by brewers and others directly or indirectly interested in the revival of the outlawed liquor business and the gifts of money by corporations for political activity, in spite of the provisions of the Federal law forbidding such contributions, are revealed by the reports filed by the Association Against the Prohibition Amendment with the Clerk of the House of Representatives and by wet organizations in the States. Just how these sums were spent is not made clear in every instance by the report. This Association Against the Eighteenth Amendment is only 1 of 25 or 30 wet organizations, as Mr. Stayton, the head of the Association Against the Prohibition Amendment, testified at the recent hearings.

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

Mr. CRAMTON. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. HUDSON. Mr. Chairman, the greatest issue before the American people is nullification or orderly government through obedience to and enforcement of law. It is not a new issue. Every time it has been raised it has been defeated by the patriotic people and leaders in that day. In 1850, when nullification was suggested in the conflict over the enforcement of revenue laws, Andrew Jackson said:

> If a single drop of blood shall be shed there (in South Carolina) in opposition to the laws of the United States, I will hang the first man I can lay hands on engaged in such treasonable conduct upon the first tree I can reach.

The immortal Lincoln, with his clear vision, stated the issue thus:

> If you withhold that necessary legislation for the support of the Constitution and constitutional rights, do you not commit perjury? I ask every sensible man if that is not so? That is undoubtedly just so, say what you please.

These statements of Lincoln apply with equal force to-day in any State that refused to maintain legislation to enforce the eighteenth amendment.

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

Mr. CRAMTON. Mr. Chairman, I yield the gentleman one additional minute.

Mr. HUDSON. The Anti-Saloon League probably will not be harmed by Mr. GALLIVAN's attack and therefore needs no defense from me. That organization is not only antiliquor, but prohome, proschool, prochurch, proprosperity, and proprogress. It opposes only an outlawed evil and is hated by the bartenders' and brewers' champions. It may be good politics in Mr. GALLIVAN's own district to attack prohibition, but the American people in the southern, central, and western sections of the land, with comparative unanimity and by increasing majorities, even in New England States, will support prohibition and oppose the return of Mr. GALLIVAN's friends to power. [Applause.]

LIQUOR INTERESTS AND BREWERIES CONTINUE FINANCING ASSOCIATION AGAINST THE PROHIBITION AMENDMENT

Mr. HUDSON. Mr. Chairman, as chairman of the Committee on Alcoholic Liquor Traffic my attention is constantly called to various conditions concerning the enforcement and the success of the eighteenth amendment.

There also is brought to our notice the work of those interests and organizations that have for their object the nullification or repeal of the prohibition amendment.

It is very clear from the data and information thus presented and from the reports filed with the Clerk of the House that the antiprohibitionists, having failed in every attempt to modify or repeal the national prohibition act through Congress, massed their strength and money as at no time since the adoption of the eighteenth amendment in the last congressional primary and election.

Believing that much of this is of general interest and concern to the Members of Congress and the people of the Nation, I want to-day to lay before you some of the most important matters, which I believe of grave import.

From the reports filed and from other evidence it is clear that the wets raised and expended very large sums at the recent election to nullify the Constitution through modification or repeal of the laws to enforce it. The brewers and liquor interests generally have shared in financing this fight. Reports filed with the Clerk of the House of Representatives by the Association Against the Prohibition Amendment, which is only 1 of the 25 or 30 organizations fighting prohibition, show receipts of considerable sums from brewers or others interested in the return of the legalized liquor traffic. The same reports also show the gifts of money to that organization by corporations, in spite of the provisions of the Federal law forbidding such contributions for political purposes.

The Association Against the Prohibition Amendment formerly denied that it accepted gifts from those interested in the liquor traffic. In the hearings on the 2.75 per cent beer bills, before the House Judiciary Committee, Mr. Stayton testified that he did not receive money from brewers but returned such checks as they sent to him. (See page 176 of hearings on 2.75 per cent beer.) At that same hearing the Anti-Saloon League presented evidence showing that brewers, malt dealers, and the like, were raising funds for the Association Against the Prohibition Amendment, and that one malsters' association assessed its members a tax in favor of the Association Against the Prohibition Amendment. (See page 323 of hearings on 2.75 per cent beer.)

The wet organization now admits that the brewers are contributing to finance the fight against the eighteenth amendment. Some of the contributions from brewers and others interested in the revival of the liquor traffic are as follows, as listed in the Association Against the Prohibition Amendment report to the Clerk of the House of Representatives:

Liquor groups contributing to the Association Against Prohibition Amendment

Report 108, office of W. H. Stayton, 606 Lexington Building, Baltimore, Md.:	
Oct. 2, 1925, Pennsylvania Central Brewing Co., 431 North Seventh Avenue, Scanton, Pa	$100
Oct. 23, 1925, Lower's Gambrinus Brewing Co., Fortieth Street at Twenty-second, New York City	100
Oct. 25, 1925, Garden City Brewery	100
Oct. 28, 1925, Piel Bros., New York City	100
Report 109, north California division, Balboa Building, San Francisco, Calif.:	
Sept. 7, 1925, Buffalo Brewing Co., Sacramento, Calif	100
Oct. 7, 1925, Buffalo Brewing Co., Sacramento, Calif	100
Oct. 7, 1925, Buffalo Brewing Co., Sacramento, Calif	100
Nov. 6, 1925, Buffalo Brewing Co., Box 610, Sacramento, Calif	100
Dec. 7, 1925, Buffalo Brewing Co., Sacramento, Calif	100
Report 127, Association Against Prohibition Amendment, Missouri branch, St. Louis, Mo., 417 Security Building, Feb. 24, 1926, August A. Busch, jr., Ninth and Pestalozzi Street	$10
Report 144, Association Against Prohibition Amendment, California division, San Francisco:	
Mar. 5, 1926, Buffalo Brewing Co., Sacramento, Calif	200
May 8, 1926, Buffalo Brewing Co., Sacramento, Calif	100
Report 87, Pennsylvania division Association Against Prohibition Amendment, Aug. 24, 1925, Francis Perot & Sons Malting Co., Philadelphia, Pa	250
Report 96, Association Against Prohibition Amendment, 1523 L Street NW., Washington, D. C.:	
Feb. 1, 1926, Peter Doelger Co., New York City	100
Feb. 18, 1926, Peter Doelger Co., New York City	100
Feb. 6, 1926, Superior Beverage Co., 205 Locust Street, Lancaster, Pa	100
Feb. 20, 1926, Pennsylvania Central Brewing Co., Scranton, Pa	100

Report 232, Association Against Prohibition Amendment, Michigan division, Detroit, Mich., 1828 Penobscot Building:
- Aug. 24, 1926, Julius Stroh, Stroh Products — $200
- Sept. 11, 1926, Julius Stroh, Stroh Products — 100

Report 231, Association Against Prohibition Amendment, North California Branch:
- June 9, 1926, Buffalo Brewing Co., Sacramento, Calif — 100
- July 10, 1926, Buffalo Brewing Co., Sacramento, Calif — 100
- Aug. 7, 1926, Buffalo Brewing Co., Sacramento, Calif — 100

Report 66, Association Against Prohibition Amendment, 1523 L Street NW., Washington, D. C.:
- August, 1926, Anheuser-Busch (Inc.), St. Louis, Mo — 250
- August, 1926, V. Loewer's Gambrinus Brewery Co., 528 West Forty-second Street, New York City — 200
- August, 1926, Anheuser-Busch (Inc), St. Louis, Mo — 250
- August, 1926, Piel Bros. (Inc.), Brooklyn, N. Y — 1,100
- August, 1926, Fred Pabst, 917 Chestnut Street, Milwaukee, Wis — 1,000
- August, 1926, Peter Doelger Brewing Co., Brooklyn, N. Y — 500
- August, 1926, Queeno Brewing Co., Cumberland, Md — 100
- August 1926, Hugh Fox, 50 Union Square, New York City, secretary United States Brewers' Association — 500
- August, 1926, Jacob Ruppert, 1639 Third Avenue, New York City — 100
- Oct. 16, 1926, William Hamm, Minnehaha and Greenbrier Avenues, St. Paul, Minn — 400
- Oct. 16, 1926, Flock's Brewing Co., Williamsport, Pa — 100
- Oct. 16, 1926, John A. Trainer, 1436 Catherine Street, Philadelphia, Pa — 100
- Oct. 16, 1926, Louis F. Newweiler's Sons, brewers and bottlers, Allentown, Pa — 500

Report 62, Volunteer Citizens Committee, 1202 Liberty Building, Philadelphia, Pa., Apr. 27, 1925, George J. Meyer Malt & Grain Co., 1314 Niagara Street, Buffalo — 100

Report 143, Association Against Prohibition Amendment:
- Mar. 8, 1926, Erie Brewing Co., Erie Pa — $100
- Apr. 26, 1926, Pennsylvania Central Brewing Co. (Peter J. Noll), 431 North Seventh Street, Scranton, Pa — 100
- May 22, 1926, The Joseph Hensler Brewing Co., 73 Wilson Avenue, Newark, N. J — 250
- May 4, 1926, Hugh Murray, Lion Brewery, 7 One hundred and eighth Street, New York — 1,000
- May 11, 1926, The F. & M. Schaeffer Brewing Co., 2 South Ninth Street, Brooklyn — 200

CORPORATIONS CONTRIBUTE

The Association Against the Prohibition Amendment filed its report as a wet political committee. The Federal statute, section 313, prohibits a corporation from contributing to a political committee. Here are a few of the names of corporations reported by the Association Against the Prohibition Amendment as contributing to this political committee and its subsidiary branches in addition to others previously mentioned:

Report 108, Association Against the Prohibition Amendment, office of William H. Stayton, 606 Lexington Building, Baltimore, Md., Dec. 19, 1925, Trommers (Inc.), Brooklyn, N. Y — $100

Report 198, Association Against the Prohibition Amendment, Washington, D. C.:
- Trommers (Inc.) (reported Aug. 31, 1926), Bushwick Avenue and Conway Street, Brooklyn, N. Y — 100
- Waldorf-Astoria (Inc.) (reported Aug. 31, 1926), New York City — 100

Report 130, Association Against the Prohibition Amendment, Washington, D. C., Jan. 30, 1926, Trommers (Inc.), Brooklyn, N. Y — 100

Report 145, southern California division Association Against the Prohibition Amendment, 528 Merchants National Bank Building, Los Angeles, March, 1926, Ambassador Hotel Corporation, Wilshire Building, Los Angeles — 250

Report 143, Association Against the Prohibition Amendment, division A:
- Mar. 16, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N. Y — 100
- Apr. 12, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N. Y — 100
- May 13, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N. Y — 100
- March, 1926, George Trommer, Bushwick Avenue and Conway Street, Brooklyn, N. Y — 100

Mr. Stayton, founder of the Association Against the Prohibition Amendment, testified in the Senate investigation hearings that his organization was incorporated in the District of Columbia as an educational institution. The copy of the certificate of incorporation presented by him declares that the organizers associated themselves in the Association Against the Prohibition Amendment "for educational purposes and mutual improvement." (See p. 125 of hearings.) The Federal law requires that organizations of this kind or any organization that participates in the election or defeat of Congressmen, or that spends money for political purposes as set forth in the Federal statutes, must appoint a political committee and account for the money raised and spent in such congressional elections. Mr. Stayton admitted in his testimony before the Senate investigating committee that his association had not filed any such reports until March, 1925, and then not through a campaign committee. The Federal corrupt practices act requires the filing of such reports.

If the Association Against the Prohibition Amendment is an educational organization, as its certificate of incorporation asserts and as Captain Stayton testified (pp. 1479–1485), then it is violating not only its articles of incorporation by operating solely as a political organization, but it is also violating the Federal corrupt practices act, because it must raise and spend its campaign fund through a campaign committee. If it is a political committee, as its report indicates, then the brewers and other corporations that contributed to it as a political committee are violating the law, and the Association Against the Prohibition Amendment has also violated the law in receiving such contributions. The section of the Revised Statute reads as follows:

> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or resident commissioners to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation who consents to any contribution by the corporation in violation of this section shall be fined not more than $1,000, or imprisoned not more than one year, or both.

GIFTS DIRECT TO PARTY COMMITTEES

In his testimony before the senatorial investigating committee, as reported on page 1249 of the committee's report of the Senate hearings on senatorial primaries, Mr. Stayton, replying to the query whether his organization had made contributions to the VARE or PEPPER campaign or that of any other candidate in Pennsylvania, said:

> Or in any other State at any time since our organization. We have never contributed a cent of money to a political party or to any politician.

On page 1 of report No. 203, reporting the expenditures of the Association Against the Prohibition Amendment (Inc.), Allen County division, Fort Wayne, Ind., the following expenditures to county Democratic committees are listed:

- July 18, Allen County Democratic Central Committee, Fort Wayne, Ind — $400
- Aug. 21, Noble County Democratic Central Committee, Albion, Ind — 100
- Aug. 21, Whitley County Democratic Central Committee, Columbia City, Ind — 100

On page 2 of the same report the following appear as further expenditures:

- Aug. 21, DeKalb County Democratic Central Committee, Auburn, Ind — $100
- Sept. 21, Steuben County Democratic Central Committee, Angola, Ind — 150
- Sept. 21, Lagrange County Democratic Central Committee, Lagrange, Ind — 50
- Oct. 20, Noble County Democratic Central Committee, Albion, Ind — 100
- Oct. 20, DeKalb County Democratic Central Committee, Auburn, Ind — 100
- Oct. 20, Whitley County Democratic Central Committee, Columbia City, Ind — 50

The Association Against the Prohibition Amendment also contributed $27,661 to the Democratic State Committee of Massachusetts, according to the report of that committee filed at Boston, in accord with the Massachusetts corrupt practices act. Of that sum $19,500 was given on October 30 and $8,161 on November 1. By making these contributions on those dates the Association Against the Prohibition Amendment was not compelled to include them in any report filed with the Clerk of the House of Representatives, except the final report, due January 1, 1927. Therefore these gifts directly to a political party escaped publicity and were not generally known when the election was held.

The wets planned their financial campaign for this election long in advance. In their letter sent out to prospects in March, 1925, they announced their intention to raise funds, setting $1,500 as the amount needed in a congressional district fight. They claimed that they were going to enter 200 such districts to replace dry Congressmen with wets. The letter opening this financial drive is as follows:

> [Our aim: I. Modify the Volstead Act now. II. Return the police power to the States. "In a Republic the law reflects rather than makes the standard of conduct. * * * The attempt to dragoon the body when the need is to convince the soul will end in revolt."—Calvin Coolidge, address to the American Bar Association, August 10, 1922.]
>
> NATIONAL HEADQUARTERS,
> ASSOCIATION AGAINST THE PROHIBITION AMENDMENT (INC.),
> *409 Lenox Building, Washington, D. C., March 16, 1925.*
>
> DEAR MR. ———: Are you aware that the organized movement to repeal or substantially modify the prohibition laws is gaining great momentum throughout the country, and that every indication points to success within a comparatively short time?

Two circulars are inclosed. One of them deals with the progress of the antiprohibition movement. You will be surprised to learn of the reverses that the Anti-Saloon League has met with this year.

The other circular (the yellow one) gives the names of many prominent people affiliated with us and tells something of our activities.

It costs us on the average $1,500 to organize in a congressional district effectively enough to win a Congressman there. (See the white circular inclosed.)

Will you be one of the three $500 contributors to take care of one district?

Or will you be one of 15 $100 contributors?

We much hope that you will fill out the attached blank for as large an amount as you can afford to. You will save in reduced taxes, after the Volstead law is modified, whatever sum you contribute now.

We are going to win, anyway, but we can win more quickly and more decisively with your help.

Very sincerely yours,

G. C. HINCKLEY,
National Secretary.

To encourage their followers and to raise the money needed for their fight against prohibition, "voluntary committees," so called, were organized in the principal cities of the United States, according to the testimony of Mr. Stayton at the Senate primary investigation. These committees called themselves "voluntary committee of ———," naming the city where it was located, and so forth. The same text was used in these letters generally, the only significant changes being in the name and address of the officers. The following is a copy of one of these form letters asking funds:

VOLUNTARY COMMITTEE OF DISTRICT OF COLUMBIA,
ASSOCIATION AGAINST THE PROHIBITION AMENDMENT (INC.),
709 Lenox Building, July 12, 1926.

DEAR SIR: Two years ago few people believed that the prohibition laws could be modified within a lifetime. To-day millions have changed their minds and now believe that the intolerable situation brought about by the Volstead Act can be changed and should be.

The Association Against the Prohibition Amendment is now entering upon a nation-wide campaign for the election of a liberal Congress, partly by nomination of liberals in individual districts and States, and partly through referendums in New York, Wisconsin, Montana, Nevada, Colorado, California, Missouri, and other States, in which it is obtaining pledges from the present Senators and Congressmen that they will support modification if their States or districts declare for it by their votes.

The association faces the greatest struggle since it was founded, and the greatest opportunity.

The Voluntary Committee of the District of Columbia, organized along the lines of similar committees throughout the country, has undertaken to raise a fund in support of the constructive campaign of the association, the money to be paid to the voluntary committee and to be appropriated by the committee itself. The account of the committee will be on file in the office of the treasurer and open to inspection by subscribers at any time.

We hope you will help this patriotic work and urge you to fill out the inclosed blank for such amount as you may see fit, drawing your check to the order of W. B. Howe, treasurer, 709 Lenox Building, 1523 L Street, Washington, D. C.

Sincerely yours,

WILLIAM M. WRIGHT,
Chairman.
WALTER D. WILCOX,
Vice Chairman,
WALTER B. HOWE,
Treasurer.

After the Pennsylvania primaries the Association Against the Prohibition Amendment division in that State sent out this appeal:

(The Pennsylvania division, Charles S. Wood, manager; Henry E. Drayton, treasurer)

* * * * * * *

The expenses of the primary campaign have left our treasury bare, and we need your prompt help in one or both of two ways:

1. Get us some new members. We inclose two application cards.

2. Send us a contribution, large or small, in accordance with your means and inclinations.

Contributions from Pennsylvania will be used in Pennsylvania.

Do not let us lose the fruits of victory for lack of a few dollars to enable us to carry on.

Faithfully yours,

CHARLES S. WOOD, *Manager.*

That these money-raising campaigns through these committees did not cease with election is indicated by the following letter:

VOLUNTARY COMMITTEE OF ALUMNI,
ASSOCIATION AGAINST THE PROHIBITION AMENDMENT (INC.),
November 10, 1926.

DEAR SIR: The blight of prohibition had no sooner come upon this country in 1919 than the forces of reaction started to work. The Association Against the Prohibition Amendment was forthwith organized with a nucleus of 310 members, of whom 160 were Army and Navy officers and 148 were university graduates.

Its purpose was twofold. First, to arouse the citizenry to the realization that tyranny was afoot; second, to create a machine to combat the forces of despotism, the forces that had demonstrated their strength and their audacity by effecting the enactment of the oppressive laws of prohibition.

That the first purpose of this association was accomplished is now apparent. To-day the people at large are resentful of the abrogation of their liberties. They are dismayed over the debasement of the manners of the times. They are appalled by the ubiquitous corruption of governmental agents.

The second purpose of this association is also accomplished. From the nucleus of 310 members we have grown to an army of 750,000, efficiently organized in every State to bear the onus of waging the battle for the restoration of decency and liberty. Strong, dignified, and purposive, we are already engaging the forces of oppression. Their forces are well entrenched behind a barricade of laws, and we must gather to our side every citizen who would regain his right of self-determination.

It is to aid in this recruiting that we solicit your cooperation. Though money is our main sinew of war, we do not importune you for a contribution. What we want you to do is to ally yourself with us and to aid our efforts by urging to membership in this association such of your friends in civil life as are more able to afford financial support. We want you to help us reach those people who indorse the fight we are making and who are willing to evidence their support by giving us financial help. Contributions should be made payable to Charles H. Sabin, treasurer, and sent to J. S. Johnston, Guaranty Trust Co., 140 Broadway, New York, N. Y.

Sincerely yours,

W. W. KIMBALL,
Chairman.
CALVERT TOWNLEY,
Vice Chairman.

For the committee.

A. G. NISH, *Secretary.*

The peculiar mathematics of the wet group which ignores the defeat in three out of the four States where legal referenda were held, and their failure to elect more than 9 out of 35 United States Senators chosen or to obtain much more than 100 out of 435 Congressmen elected, is set forth in this post-election summary and appeal for more money:

VOLUNTARY COMMITTEE OF ALUMNI,
ASSOCIATION AGAINST THE PROHIBITION AMENDMENT (INC.).
November 27, 1926.

DEAR SIR: The sweeping victories won by the antiprohibitionists on election day were largely due to the efforts of the Association Against the Prohibition Amendment.

The population of the States in which the anti-prohibition referenda were held is about one-fourth that of the United States. The results indicate that more than 6,000,000 votes were cast, 64 per cent of which were wet. When this result is compared with the votes which were cast in those States which, prior to national prohibition, went dry by the vote of the people, and at which time approximately five and one-half million votes were cast, 44 per cent of which were wet, a stunning repudiation of the Volstead law is evident.

If the people who are opposed to prohibition will give our organization the benefit of their support now, we are practically assured of success in 1928.

Contributions have ranged from $5 to $50. Please draw your check to the order of Charles H. Sabin, treasurer, and mail to J. S. Johnston, assistant treasurer, Guaranty Trust Co., 140 Broadway, New York, N. Y. Every dollar that you give will speed success and be appreciated by this committee.

Sincerely yours,

VOLUNTARY COMMITTEE OF ALUMNI,
W. W. KIMBALL, *Chairman.*
CALVERT TOWNLEY, *Vice Chairman.*

CAMOUFLAGED WET CONTRIBUTIONS

The full amount spent by the wet group does not appear in any single report, whether that of the Association Against the Prohibition Amendment or any other organization. Much money was spent by the liquor interests through other channels. It has always been difficult for the public to learn how much the liquor folks were expending to control the election of legislators and other public officials who have to deal with the liquor traffic. Just before the eighteenth amendment was

adopted a subcommittee of the Judiciary Committee of the Senate discovered in its investigation of the corrupt practices of the brewers that these men had spent millions of dollars for political purposes. The United States Brewers' Association fund in 1918 was $1,400,000. In four years the Pennsylvania association raised $922,000. Much of the political expenditures were concealed by entries under personal names or as advertising, and so forth. (See pp. 96, 309, 321, 331, and 332 of Senate Judiciary Committee Investigation of Brewery and Liquor Interests.)

In its report on this investigation the committee declared that the investigation "clearly established the following facts":

With regard to the conduct and activities of the brewing and liquor interests the committee is of the opinion that the record clearly establishes the following facts:

(c) That they have contributed enormous sums of money to political campaigns in violation of the Federal statutes and the statutes of several of the States.

(g) That they have created their own political organization in many States and in smaller political units for the purpose of carrying into effect their own political will and have financed the same with large contributions and assessments.

(i) That they organized clubs, leagues, and corporations of various kinds for the purpose of secretly carrying on their political activities without having their interest known to the public.

(j) That they improperly treated the funds expended for political purposes as a proper expenditure of their business, and consequently failed to return the same for taxation under the revenue laws of the United States.

The amounts revealed by the investigation in 1917 for controlling elections by the breweries alone ran into millions.

The American investigation is being paralleled by a like investigation now pending in the House of Lords in Great Britain, where it has been shown that fabulous sums are being spent by the brewers in that nation of little over 40,000,000 people. One member of the House of Lords has presented evidence to the committee showing the annual expenditure of over a million dollars to control elections and for political purposes.

Just how much was expended by brewers, distillers, and so forth, for the wet campaign in general or for certain wet candidates in 1926 can not be discovered. Neither the United States Brewers' Association nor the local branch of that organization has filed any report with the Clerk of the House of Representatives, although a State report shows that in Hamilton County, Ohio, alone, $13,500 was spent, through the attorney for the United States Brewers' Association, in the futile attempt to defeat Senator WILLIS and elect Pomerene. The United States Brewers' Association, in their journal, the American Brewer, of July 1, 1926, made the following declarations in this fight:

WILLIS OR VICTORY?

When Ohio went dry, back in 1920, national prohibition became a certainty; when Ohio casts prohibition aside, then the day of the "dry" is done. The opportunity to publicly and effectively demonstrate that the prohibition forces are defeated and retreating is offered in the November election—a United States Senator from Ohio—Atlee Pomerene, able lawyer and constructive statesman, has come out from what was practically political retirement to lead the fight against the domination of the Anti-Saloon League.

Senator WILLIS is an Anti-Saloon League man. His defeat in the home State and stronghold of the league means the greatest setback which the drys can receive at this time. Can the liberal, unfettered voters in Ohio beat WILLIS? They certainly can!

The Pomerene versus WILLIS campaign is not a matter local to the State of Ohio. It is a national affair, and every dry organization from every section of the country will be called upon help WILLIS, of Ohio. Every liberal, every so-called wet organization and individual must take the same attitude for our side. It is our fight and urgently requires our mental, moral, and financial support.

It is the rural population that must be reached. The large cities of Ohio always were great brewing centers. While the issue can not be neglected as far as the city voters are concerned, we must prepare to go into every village and township, even to every farm, and give battle to the there so strongly interested drys.

The Anti-Saloon League fully realizes what this campaign in Ohio means. They will use every means possible to return WILLIS to Congress. We, on the other hand, must fight as we have never fought before; we must meet the drys at every turn; we can never tire until the final ballot is counted, until it has been shown that we fully realize that this time it is WILLIS or victory.

The final report of the Association Against the Prohibition Amendment may show additional details of such contributions or expenditures. That report has not yet been filed but must be filed, under the law, before January 1, 1927.

1926 CONGRESSIONAL CAMPAIGN

Long before the congressional primaries of 1926 the opponents of prohibition began to fill their campaign war chests. One wet organization out of the score and more in this fight declared it would raise $300,000, or $1,500 to expend in each of 200 congressional districts to replace Congressmen who were opposed to repeal or modification of the law by advocates of the wet plan, legalizing beer and wine, then repeal State enforcement codes, and finally the repeal of the eighteenth amendment.

In his testimony before the senatorial investigating committee (see p. 1487 of hearings) Mr. Stayton testified:

Our ordinary expenses have been $300,000, but that does not include campaigns. This year we are hoping and seeking to get about $300,000 for use in connection with the election this year, as necessities arise, in cases in States where referendums are to be held and where Congressmen are to be elected. We are seeking $300,000 in connection with this year's election.

Continuing that testimony, under cross-examination by Senator GOFF, he elaborated this (see p. 1495 of hearings). Senator GOFF asked:

Senator GOFF. Do you ever go out aggressively and try to defeat candidates for Congress?

Mr. STAYTON. Well, we do try to defeat dry candidates for Congress; yes, sir.

Senator GOFF. And you make an aggressive fight along those lines, do you not?

Mr. STAYTON. I am only hesitating about the meaning of the word "aggressive." We generally do this. We carry on an educational campaign.

Senator GOFF. I have in my hand a letter signed by the national secretary, Mr. G. C. Hinckley, from the office of the national secretary, dated March 16, 1925, in which it is stated, among other things:

"It costs us, on the average, $1,500 to organize in a congressional district effectively enough to win a Congressman there.

"Will you be one of three $500 contributors to take care of one district?

"Or will you be one of fifteen $100 contributors?

"We are going to win anyway, but we can win more quickly and more decisively with your help."

Does your association or organization send out such a letter as that?

The reports thus far filed by the Association Against the Prohibition Amendment show that over $275,000 was raised by that organization since the 1st of January, 1926, but does not indicate the purpose for which it was spent. The practice established by the brewers, of entering personal names or charging "advertising" or the like with political expenditures, seems to have suggested the form adopted by the Association Against the Prohibition Amendment report. After the names of individuals, given in that report, there appear the words "salary," "commission," "rent," and the like. The political purpose involved does not appear.

PENNSYLVANIA EXPENDITURES

The large amounts of wet money contributed to nominate and elect a Senator from Pennsylvania included large gifts from those directly or indirectly connected with or interested in the liquor business. Thomas Watson, who contributed $25,000 to this fund, was in the wholesale liquor business before prohibition. Robert D. Noonan, who gave $500, was a former saloon keeper in Philadelphia. Some of the others of the large contributors were the following:

Joseph Trainer, who gave $8,000, is secretary and treasurer of Dougherty Distillery Warehouse Co., 1101 North Front Street, Philadelphia, Pa. This warehouse holds the Federal privilege to store, bottle, and sell at wholesale most all of the whisky in eastern Pennsylvania. He also is owner of Trainer & Co., South Second and Catherine Streets, Philadelphia, who have a large Federal permit to withdraw whisky and wines with which to make "bitters." He is also reported as principal owner of Premier Brewery, Philadelphia, which was recently seized by the city police. Joseph Trainer is a brother of Henry Trainer, who is a large dealer in specially and completely denatured alcohol. Henry Trainer obtained permits for Swanson Chemical Co., a denaturing plant, and for the Quaker Industrial Co., a distillery, both of Philadelphia.

Harry Publicker, donor of $750, is practically sole owner of the Publicker Commercial Alcohol Co., Water and Snyder Avenues, Philadelphia, and of the Publicker Commercial Alcohol Co. of Delaware, Pier 103 South Wharves, Philadelphia, Pa. He has a brother, Philip Publicker, who is principal owner of the Berg Distilling Co., Philadelphia. Between the two of them they own the three largest alcohol plants in Pennsylvania. It is reported that the two Publickers arrived here some 22 years

ago as practically penniless Russian immigrants, and that their wealth is now about $60,000,000.

Otto Schaffhauser, who gave $1,000, is president of the Arnholt & Schaefer Brewing Co., Thirty-first and Thompson Streets, Philadelphia, Pa. This brewery was recently seized by the city police for shipping real beer. It has previously been in trouble with the Federal authorities.

J. Binnenstock, contributor of $500, is in the bakery business. He formerly held a wholesale-liquor dealer's permit, and considerable goods were seized from him. He is or was connected with the Atlantic Brewing Co.

Six contributors from Schuylkill County, as follows: Daniel Pfiel, $10,000; Robert Jenkins, Patrick Higgins, P. J. Doyle, Philip Ehrig, and James Tobin, $5,000 each, have been more or less directly interested in the liquor business. Pfiel & Higgins are or were connected with the Hettig Brewing Co.

Mr. Stayton, of the Association Against the Prohibition Amendment, testified (pp. 1242, 1243 of Senate investigation hearings) that his organization had spent $3,500 in the Pennsylvania primary fight and that the national organization received all the contributions for the Pennsylvania branch and made all the expenditures. That testimony was given on June 30, 1926. The report of the Pennsylvania division, Association Against the Prohibition Amendment (Inc.), filed with the Clerk of the House of Representatives, shows that in the months of April and May alone this branch had received $7,897.73 and expended $7,872.26, or more than double the amount admitted by Mr. Stayton, even omitting the receipts and expenditures for the month of June, on the last day of which his testimony was given. For that month the receipts of the Pennsylvania branch were $5,840.50 and the expenditures $5,259.11, or much larger sums for this single month than the total amount named by Mr. Stayton. The grand total of the receipts of the Pennsylvania division of the Association Against the Prohibition Amendment up to and including August 31, according to the statement filed with the Clerk of the House of Representatives, was $19,959.98. The expenditures for that period were $19,951.13.

The Association Against the Prohibition Amendment also worked through organizations with other names, as Mr. Stayton testified. (See p. 1247 of Senate investigation hearings.) Among these "voluntary committees" was voluntary committee No. 1 of the Association Against the Prohibition Amendment (Inc.), which has filed its report with the Clerk of the House of Representatives. This report shows that this subsidiary of the Association Against the Prohibition Amendment had received $7,476.36 and expended $7,455.13 up to June 1. It was during this month that Mr. Stayton testified that his organization's expenditures in Pennsylvania were about $3,500, and that the national offices received and expended the money for Pennsylvania. Up to September 3 this voluntary committee received $5,292. The only expenditures it reported up to September 3 totaled $2,868.

The Voluntary Citizens Committee reports receipts of $7,387.37 and expenditures of $6,626.84 up to June 1, leaving a balance of $760.53, which brought the June receipts up to $1,238.39, with June expenses of $828.29. The name of Charles S. Wood appears in this report as having received $200 and repaid $197.

Charles S. Wood, in his testimony before the senatorial campaign committee on July 1, testified (p. 1271) in reply to the query whether he had anything to do with the collection of money, aside from certain collections in Pennsylvania: "No; except that I have assisted sometimes in forming committees of our members that undertook to raise funds for it." He also testified (p. 1275) when asked if there was any other office besides his own in Pennsylvania connected with his organization that received any money:

Only such as that of the Pennsylvania Committee for Modification of the Volstead Act.

The Ralph Beaver Strasburger Modification League, a purely wet organization, filed a separate account showing $16,606 spent. Mr. Greenfield, who is said to be a member of the modification league, reported that he had raised or given approximately $100,000 to the campaign fund.

Contributions like the above are only a few out of the many made by friends or advocates of the outlawed liquor interests in the recent campaign.

EFFECT OF CAMPAIGN CONTRIBUTIONS

The American people are becoming more and more interested in the question of campaign contributions. How far does a contribution from a special interest place a Congressman or a Senator under obligation to that interest, and how far will he be diverted from serving the public interest because of such contributions? This question is being raised with reference to legitimate business throughout the Nation. What shall we say with reference to contributions made to elect Congressmen and Senators by organizations and individuals who are trying to nullify the Constitution? Vast sums of money have been raised and spent for this purpose. It should challenge the attention and the condemnation not only of Members of Congress but of every citizen of the United States who is friendly to constitutional government.

PURPOSES OF WET ORGANIZATIONS

Those wet organizations, in part financed by brewers and others interested in the return of licensed liquor, are shooting holes into the Constitution by methods that are tantamount to nullification. They are attempting to repeal the laws to enforce the Constitution without first altering the Constitution. The wine and beer propaganda has been used as advertising to interest possible members and draw them into this organization, as Mr. Stayton admitted, in part, in his testimony (p. 1492 of hearings) under examination by Senator GOFF, as follows:

Senator GOFF. Let me read you the eighteenth amendment [reading]: "Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes is hereby prohibited."

How can you have an intoxicating wine or an intoxicating beer for beverage purposes by a modification of the Volstead Act and not be in conflict with the provisions of the eighteenth amendment?

Mr. STAYTON. It could not be done, and I think if our organization advocated any such thing we would be an evil organization; but we do not.

Senator GOFF. Is it not the hope that such is the purpose of your organization that draws to it membership and maintains it as a going concern?

Mr. STAYTON. I have no doubt that that is effective in some cases, but I am absolutely sure that in many others it is not.

Senator GOFF. Is it not true in a majority of cases?

Their ultimate goal is the repeal of the eighteenth amendment. The Association Against the Prohibition Amendment, through its national chairman, admitted at the Senate investigation that modification of the Volstead Act was only viewed as a step in their fight to repeal the amendment. The following extract from the examination of Mr. Stayton (pp. 1499, 1509) discloses this:

Senator GOFF. I think you stated very frankly that it is not the modification of the Volstead Act that you seek to achieve so much as it is the repeal of the eighteenth amendment?

Mr. STAYTON. Perhaps I have hardly made myself completely clear. My business is in Baltimore, and I am going back to Baltimore, perhaps, to-night. I shall have to pass through Odenton, and it is necessary to pass through Odenton in order to get to Baltimore. Now, I think it is necessary to repeal the Volstead Act, or amend the Volstead Act, in order to get to the eighteenth amendment, but it is only incidental. Our ultimate destination is the repeal of the eighteenth amendment.

Senator GOFF. You must pass that way in order to get to your destination; that is all?

Mr. STAYTON. That is all. The purpose is the same.

Senator GOFF. Your passing through that town is a mere incident. It is Baltimore you are seeking to reach?

Mr. STAYTON. Yes, sir.

Senator GOFF. And it is the Volstead Act which stands in the way, you think, of the repeal of the eighteenth amendment?

Mr. STAYTON. Well, I think the repeal of the Volstead Act would be like getting one step up the stairs. I believe the repeal of the Volstead Act would satisfy a great many people of the United States and that there would be more respect for the law of this country, and therefore, as an entirely independent proposition I shall favor the amendment and then the repeal of the Volstead Act. But my purpose is to see the repeal of the eighteenth amendment.

When confronted with the nullification that would result from such repeal Mr. Stayton admitted on the stand that "under such circumstances" he would not favor the repeal, question and answer being as follows (Senate hearings, p. 1501):

Senator GOFF. If we could repeal the Volstead Act to-morrow we would have the eighteenth amendment standing in the Constitution of the United States, without any law on the statute books to put it into execution.

Mr. STAYTON. I would not favor the repeal of the Volstead law under such circumstances, but I think it might be enforced.

Mr. Stayton referred to the State enforcement codes as providing for enforcement of the Constitution if the Volstead Act was repealed, when Senator Goff asked concerning this point,

as appears from the following question and answer (Senate hearing, p. 1800):

Senator GOFF. Have you considered the question of what would occur between the modification of the Volstead Act and the repeal of the eighteenth amendment? If there was not a law similar to the Volstead Act, you would have the Constitution of the United States noneffective because of no law to put into execution.

Mr. STAYTON. No, sir. If that happened to-day, if the Volstead Act were repealed to-day, in 46 States of the United States you would have laws more stringent than the Volstead Act.

Those very laws have been attacked in the past election by Mr. Stayton's group. In his testimony (p. 1248 of the Senate hearings), he told of the work of the "political department," as he termed it, in the Association Against the Prohibition Amendment, thus:

Mr. STAYTON. Similarly the law which we drew was passed in Wisconsin, and there is to be a referendum there this autumn.

In other States which have the initiative and referendum laws we have circulated petitions; so that we now have petitions, either filed or under way, in Montana, Illinois, Missouri, Colorado, Nevada, and California, besides New York and Wisconsin.

Our political department, then, is carrying on the work either of getting the petitions signed or of carrying on the necessary campaign to convince the voters that they should vote "aye" on that referendum. In a general way that is the work of the political department.

REFERENDA ELECTIONS

The referenda elections held in the United States were not enlightening, because some were legal and others had no legal or binding effect. The dry forces of the Nation, headed by the Anti-Saloon League of America, and the Woman's Christian Temperance Union, after careful consideration of the whole matter, took the following action concerning it:

Whereas the Constitution of the United States provides the only methods for its own amendment, and does not authorize a referendum on constitutional provisions or Federal laws, we are opposed to any referendum, national or in any State, tending to defeat or nullify the Federal Constitution or Federal laws for its enforcement. Such referenda have no legal value or binding effect and tend to undermine the Constitution and our Federal system of representative government. We, therefore, urge the friends of prohibition not to be diverted from the real issue, which is that of electing men and women to office, local, State, and national, who will maintain and enforce throughout the Nation the established policy of prohibition.

The Judiciary Committee of the United States Senate has clearly stated the case in the following words: "The Constitution is a grant of powers. These powers are limited, and such limitations are not to be transcended. A national referendum is not provided for, and it is not our belief that it was in the intention of the framers of the Constitution that a referendum would ever be attempted."

STRAW VOTES

Referendum elections which had no legal or binding effect were held in New York, Illinois, and Wisconsin.

The New York and Illinois referenda proposed to substitute for the present half per cent definition a new definition, including only those liquors which are intoxicating in fact, in accordance with the laws of the respective States. These referenda will have little or no weight, since this is a representative Government. Changes in Federal law must be made by Representatives in Congress and not by referenda votes. Referenda such as these have been characterized by Senator BORAH as follows:

If this referendum interrogatory has any meaning at all, it is that every State shall determine for itself its own construction of and obligation to the Constitution of the United States, and that construction is to bind the Federal Government. That doctrine was shot to death at the Battle of the Wilderness. A reunited and disenthralled and happy Nation has put it behind us for all time. Now, what these advocates of the referendum want, when they speak candidly and plainly, is the right to sell and transport intoxicating liquor. What they want is to transfer the control of this question to the States, and these things they want to do by nullifying the Constitution instead of amending it. The only way to meet the proposition which they have in mind is to submit, if they wish to employ referendum, the question of whether we shall amend the Constitution—submit it in the way provided by the Constitution. That is not only the candid way but the only effective way to deal with the subject.

SENATOR WALSH ON THE REFERENDUM

Senator WALSH of Montana, in an article in the New York Times, discusses the proposal to submit prohibition to a national referendum. He calls attention to the fact that prohibition came only after 33 States had gone dry, after two-thirds of both houses of the national legislature had been elected to submit the amendment, and after legislatures had been elected in all but two of the States to ratify it. The intensity of feeling now displayed against the amendment, in Senator WALSH's opinion, proceeds largely from those who were opposed to it from the beginning and from the vast business interests that were affected adversely by it. Senator WALSH calls attention to the fact that on the last real test the drys showed an overwhelming majority in Congress and that Congress is aware of the sentiment in the various districts of the country.

What simplicity on the part of the drys or the near drys this proposal for a referendum implies. They are not supposed to realize that it is a transparent sham. The wets who ask it have nothing to lose and everything to gain. If it goes against them they are no worse off than they are now. Moreover, the cause of the drys will not be perceptibly improved. Can anyone believe that if on a national referendum the policy of the existing law should be approved the State of New York will reenact its enforcement law? No one is credulous enough to believe that it would be regardful of the general views any more than it is now.

Such a referendum is not sanctioned by the Constitution. The National Government was organized on a representative system. Public sentiment can make itself felt on a question such as this in a manner provided by the Constitution by the election of Members of Congress who will vote for the submission of a resolution to repeal or modify the eighteenth amendment, or repeal the Volstead Act, or against any change.

It is thus the Constitution contemplated that the citizen should express his views upon the questions proper for the consideration of Congress.

The proposal itself submitted in New York is indefensible. It has already been passed upon by State and Federal Supreme Courts and has been declared unenforceable. In that opinion law enforcement officials have agreed. The decision of the Supreme Court (Ruppert *v.* Caffey, 251 U. S.) on this point said:

The legislation and decisions of the highest courts of nearly all the States establish that it is deemed impossible to effectively enforce either prohibitory laws or other laws merely regulating the manufacture and sale of intoxicating liquor if liability or inclusion within the law is made to depend upon the issuable fact whether or not a particular liquor made or sold as a beverage is intoxicating.

REPEAL OF STATE CODES

Referenda petitions filed by radical foes of prohibition brought the question of repeal of State enforcement codes on the ballots of four States—California, Colorado, Missouri, and Montana. The repeal of these laws would leave to the Federal Government the whole task of enforcement and would place the State in the position of refusing to fulfill its duty, under the second section of the amendment, to enforce this part of the Constitution.

The repealers were defeated by over 275,000 majority in Missouri, 46,994 in Colorado, and about 65,000 in California. In Montana the State code was repealed by 4,500, but the wet vote was 15,000 below their previous total.

THE WISCONSIN BEER VOTE

The referendum election in Wisconsin was on an equally indefensible proposal. It was a vote for 2.75 per cent beer. Such precedents as exist for the inclusion of such a provision in a prohibition law prove its unworkable nature. Such beer would be about the same strength as preprohibition beer, which the courts repeatedly held was intoxicating, as a matter of common knowledge. It was the Wisconsin Supreme Court that affirmed the instruction given by a trial court—Briffit *v.* State, 58 Wis. 39—to the effect that beer was an intoxicating liquor, in these words:

I think a man must be almost a driveling idiot who does not know what beer is. I do not think it is necessary to prove what it is.

Full-page advertisements, paid for by brewers, by the Wisconsin division of the Association Against the Prohibition Amendment, by Fred Pabst and by J. J. Seelman, for the Association Against the Prohibition Amendment, Washington, D. C., were published throughout the State urging "yes" votes for this referendum.

WISCONSIN'S REFERENDUM EXPENDITURES

In Wisconsin where there was a referendum on 2.75 per cent beer, the brewers and the Association Against the Prohibition Amendment used full-page advertisements in many of the newspapers throughout the State urging a "yes" vote on election day. Among such advertisements one headed "You can't be neutral" was paid for by the Joseph Schlitz Brewing Co., of Milwaukee, Wis. At the head of the advertisements a printed line declares that this concern authorized and paid for it. One such publication in the Wisconsin News was priced at $672

and another at $616. Just how many thousands of dollars were poured into the Wisconsin referendum fight by the brewers has not been revealed.

In the papers reaching the rural sections of the State of Wisconsin, such as The Whitehall Times, the Kewaunee Enterprise, the Oconto County Reporter, the Ripon Weekly Press, The Elkhorn Independent, the Mauston Star, the Fenimore Times, and the Dodgeville, full-page advertisements under the heading "The farmer's sacrifices to prohibition" were published. The name of the Wisconsin division of the Association Against the Prohibition Amendment, Milwaukee, Wis., was printed in bold letters at the bottom of these advertisements. Either at the top or the bottom of these advertisements appeared a line, in smaller type, reading thus, "This advertisement authorized and paid for ($———) by J. J. Seelman for Association Against the Prohibition Amendment, Washington, D. C." In the parentheses appeared the amount paid for the ad.

The wet New York referendum did not get a majority of the votes in the State, although it did receive a majority of the votes actually cast. More than a half a million voters failed to vote on the referendum. Hundreds of thousands of others absented themselves from the polls, the two leading gubernatorial candidates running 345,707 behind the leaders two years ago. Practically the full wet vote was delivered, since those having a direct or personal interest in the attack upon any law rarely fail to vote. Many dry leaders, on the other hand, had urged their groups to ignore the referendum entirely.

In Illinois, with a similar referendum, also generally ignored by the drys, the wets received 300,000 fewer votes than they had a few years previous, while the two dry candidates for Congressmen at Large, Messrs. Yates and Rathbone, rolled up majorities of 375,000 over their wet opponents.

In Nevada the referendum was on an action taken by the legislature calling upon Congress to provide for a Federal constitutional convention. There was little interest in this referendum election because every one knew that no convention could be called until 32 States joined in the call and this would probably never occur. The proponents of the convention, after a vigorous campaign, got a majority of those voting on the question, but not a majority of all the votes cast at the election.

REFERENDUM IN ELECTION OF CONGRESS

The true national referendum held at the last election is one to which the wets make little reference. Under our system of government the only official and proper test of national sentiment on Federal questions is in the election of Members of Congress.

This national referendum returned to Congress 296 Members of the present House who have dry records, while of the 39 new Members elected at least 25 are dry, as their records or public statements indicate, while others who are not classed among believers in the theory of prohibition or among the "drys" have let it be known that they would not support any movement to repeal the Federal prohibition enforcement law.

The election of United States Senators was equally significant in its revelation of the popular attitude on this question. Twenty-six of the 35 United States Senators elected are counted as drys from their records or public utterances. In both branches of Congress the dry majority is between 70 and 75 per cent of the total in each of the political parties. This is the verdict of the repeated national referenda on prohibition.

NULLIFICATION THE ISSUE

The issue of nullification of the Constitution, boldly raised by some of the wets and less frankly but no less truly proposed by the more cautious of that group, is the most important one before the American people. Rarely has such a course of action been proposed in our history. On those rare occasions when it was suggested it was at once denounced and exposed. This doctrine was repudiated by Jefferson Davis, who denounced it in his farewell address in the United States Senate before leaving to take his part in the fight of the South for secession:

> I hope none who hear me will confound this expression of mine with the advocacy of the right of a State to remain in the Union and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession, so often confounded, are indeed antagonistic principles.

This discredited doctrine has not raised its head in decent society for many years. Not until the outlawed liquor interests resurrected it, hoping to revive the business which enabled them to make a lazy living out of the vices and weaknesses of their fellowmen, has there been any demand that the Constitution be treated as "a scrap of paper."

There are hours in the history of every republic when the majority must arouse itself or the government will fall. We seem to be rapidly approaching such a crisis. Those who are willing to wreck the greatest republic in the world for the profit of making or the pleasure of drinking intoxicating liquors must be squarely met by those who place patriotism above prejudice and self-sacrifice above selfish gain; public welfare above private advantage. With no distinction of creed, or race, or any of the differences that divide man, that must be the line-up in the greatest conflict for America in the present age; for the Constitution or against it. By that, we must test the loyalty and the honor of every one who claims the honor of American citizenship, as well as of all those who seek to serve the Nation in positions of trust and responsibility. On that issue, the Nation stands or falls. Few can believe it will fall. I am convinced that no minority group, however forgetful of their obligations as citizens, can ever persuade the people of this Nation to trample upon the character of our freedom, but that majority needs to be reminded that "Eternal vigilance is the price of freedom."

Mr. TAYLOR of Colorado. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Colorado has 1 hour remaining and the gentleman from Michigan has 16 minutes remaining.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. HASTINGS]. [Applause.]

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. HASTINGS. Mr. Chairman, this is the second supply bill to be considered at the present session of Congress, and is for the Interior Department and all of its bureaus covering its activities both in Washington and in the field service.

It carries recommendations for appropriation of $259,386,910. Of this amount $222,708,460 is for pensions; $12,599,685 is for the Indian Service; $22,975,550 for the General Land Office; $11,618,800 is for the Reclamation Service; $3,362,715 for the National Parks; $921,220 for the Bureau of Education; and other miscellaneous items making up the total.

This bill carries $1,151,686 less than the estimates of the Bureau of the Budget.

TREASURY AND POST OFFICE APPROPRIATION BILL

The Treasury and Post Office appropriation bill was the first of our big supply bills considered at this session of Congress.

It recommended an appropriation for the Treasury Department of the sum of $137,371,093, almost $2,000,000 less than the estimates of the Bureau of the Budget, and it recommended for the Post Office Department the sum of $753,483,155, or approximately four and one-half million dollars less than the Budget estimates.

CONGRESS RESPONSIBLE FOR ECONOMY

It has been so repeatedly stated that Congress is extravagant and that the Executive is alone responsible for economy that it is worth repeating in order to emphasize it, and to invite the attention of the people of the country to it, that Congress, since the Bureau of the Budget was created in 1922, has reduced the estimates of that bureau and has actually appropriated $351,000,000 less than the Budget estimates.

HOW APPROPRIATION BILLS ARE PREPARED

I think but few people throughout the country appreciate the laborious work done by the Committee on Appropriations, and they do not understand that the committee requires a justification by the heads of the various bureaus of the several departments of the Government for which appropriations are made of every item that goes to make up an appropriation bill.

The printed hearings upon the Interior Department appropriation bill cover a volume of 1,110 pages, of the Treasury Department 651 pages, and the Post Office appropriation bill 260 pages. Every item in these bills is explained and justified, and as the result of these hearings, as above stated, there has been four and one-half million dollars less appropriated in the Treasury and Post Office Departments appropriation bills and $1,151,686 less in the Interior Department appropriation bill than was estimated by the Bureau of the Budget, or a total saving of more than $5,600,000.

ESTIMATES FOR 1928 COMPARED WITH APPROPRIATIONS FOR 1927

The total estimates of appropriations for all governmental expenditures by the Bureau of the Budget for 1928 aggregate $4,014,571,124.60.

The amount of appropriations and expenditures for the year 1927 aggregate $3,998,027,396.48.

The following is a table showing the estimates of appropriations for 1928 compared with appropriations for 1927:

Current budget and 1927 appropriations

	Estimates of appropriations, 1928.	Appropriations, 1927.
Legislative establishment	$16,174,988.78	$17,834,919.57
Executive office	438,460.00	819,460.00
Independent establishments:		
Alaska relief funds	15,000.00	15,000.00
Alien Property Custodian	98,000.00	130,650.00
American Battle Monuments Commission	600,000.00	800,000.00
Arlington Memorial Bridge Commission	2,500,000.00	2,500,000.00
Board of Mediation	390,000.00	[1] 285,220.00
Board of Tax Appeals	570,000.00	614,224.64
Bureau of Efficiency	210,350.00	210,350.00
Civil Service Commission	1,002,742.00	1,001,592.00
Commission of Fine Arts	7,300.00	5,295.00
Employees' Compensation Commission	2,694,740.00	2,744,540.00
Federal Board for Vocational Education	8,165,230.00	8,210,620.00
Federal Power Commission	42,500.00	32,400.00
Federal Trade Commission	984,350.00	997,000.00
General Accounting Office	3,783,000.00	3,859,960.00
Housing Corporation	564,236.00	673,398.00
Interstate Commerce Commission	6,104,967.00	6,153,157.00
National Advisory Committee for Aeronautics	523,000.00	513,000.00
Public Buildings Commission		260,000.00
Public Buildings and Public Parks of the National Capital	2,422,950.00	2,306,850.00
Smithsonian Institution and National Museum	909,871.00	893,301.00
Tariff Commission	682,000.00	699,000.00
United States Geographic Board	3,945.00	345.00
United States Shipping Board	12,290,000.00	24,198,574.00
United States Veterans' Bureau	475,400,000.00	462,965,000.00
Other independent offices, etc.		161,000.00
Total, Executive Office and independent establishments	520,402,641.00	521,049,936.64
Department of Agriculture	144,487,820.00	139,635,823.00
Department of Commerce	35,240,430.00	30,632,847.00
Department of the Interior	285,717,596.00	252,962,318.00
Department of Justice	25,895,349.50	25,628,707.00
Department of Labor	8,558,540.00	9,561,305.00
Navy Department	313,815,500.00	322,061,975.00
State Department	11,969,119.41	17,357,062.64
Treasury Department	170,468,453.00	176,637,465.63
War Department, including Panama Canal	366,722,142.00	354,345,801.16
District of Columbia	38,519,869.00	36,532,128.00
Total ordinary	1,937,972,448.67	1,904,240,288.64
Reduction in principal of the public debt:		
Sinking fund	354,157,085.00	336,058,208.26
Redemption of securities from reserve bank and Federal intermediate credit bank franchise tax receipts	800,000.00	1,000,000.00
Redemption of bonds, etc., received as repayments of principal and as interest payments on obligations of foreign governments	208,672,475.93	232,923,596.58
Principal of the public debt	563,629,560.93	569,981,804.84
Interest on the public debt	755,000,000.00	785,000,000.00
Total payable from the Treasury	3,256,602,000.60	3,259,222,093.48
Post Office Department and Postal Service, payable from postal revenues	757,969,115.00	738,805,303.00
Total, including Post Office Department and Postal Service	4,014,571,124.60	3,998,027,396.48

[1] Appropriations for the Railroad Labor Board for 1927 were made available for expenses of the Board of Mediation.

The above table, of course, includes what are known as permanent and indefinite appropriations, which, among other things, include the principal and interest paid annually upon the public debt, and includes the cost of the Postal Service, paid out of the postal revenues, except that the deficiency in the postal revenues is appropriated from the other money in the Treasury.

SOURCES OF FEDERAL REVENUES

In this connection permit me to call attention to the sources from which we derive our money to run the Government, which is shown by Table A, which I will ask to be inserted at this place:

TABLE A.—*Summary (exclusive of postal revenues and postal expenditures paid from postal revenues)*

	Estimated, 1928	Estimated, 1927	Actual, 1926
Receipts:			
Customs	$601,800,000.00	$616,800,000.00	$579,430,092.86
Income tax	2,090,000,000.00	2,190,000,000.00	1,982,040,088.58
Miscellaneous internal revenue	568,985,000.00	619,685,000.00	855,599,289.26
Miscellaneous receipts	511,968,077.00	600,295,688.00	545,686,219.44
Total receipts	3,772,753,077.00	4,026,780,688.00	3,962,755,690.14

TABLE A.—*Summary (exclusive of postal revenues and postal expenditures paid from postal revenues)*—Continued

	Estimated, 1928	Estimated, 1927	Estimated, 1926
Receipts—Continued.			
Total expenditures (including reductions of the public debt required by law to be made from ordinary receipts)	$3,572,049,214.00	$3,643,701,593.00	$3,584,987,873.50
Excess of receipts	200,703,863.00	383,079,095.00	377,767,816.64

This table shows that our actual receipts, exclusive of the postal revenues, for the year 1926 amounted to $3,962,755,690.14, and that it is estimated we will receive during the current year ending June 30, 1927, a little more than $4,000,000,000.

The postal receipts for the fiscal year ending June 30, 1926, amounted to $659,819,801.08, and the deficit for that year to be paid from the Treasury amounted to $37,906,118.07.

There was an actual excess of receipts from all sources over and above expenditures for all purposes for the past fiscal year ending June 30, 1926, of $377,767,816.64.

It is estimated for this year, in round numbers, that the excess of receipts over expenditures will amount to approximately $383,000,000.

DISPOSITION OF TREASURY SURPLUS

A large surplus in the Treasury leads to extravagance. It is a constant temptation. The bill to aid the farmers in the marketing of their farm products, considered at length, but which failed of passage at the last session of Congress, would have authorized the advancement of $375,000,000 for that purpose. This need continues more pressing and this Congress should not longer delay the consideration and enactment of legislation which will bring relief to the farmers of the country.

The minority have a plan pending in Congress to amend the revenue law by reducing the corporation tax from 13½ per cent to 11 per cent, and by repealing the automobile, amusement, club dues, and produce stamp taxes. The President recommends preferably a return of a part of the taxes, after they had been passed on to the consumer, or second, that the surplus be applied to a further reduction of the public debt.

I favor, first, farm legislation; second, a general, permanent reduction of taxes at this session, as recommended by the minority; and third, application of the surplus to the further reduction of the public debt.

SOME OF THE ITEMS OF THE TREASURY, POST OFFICE, AND INTERIOR DEPARTMENT APPROPRIATION BILLS REVIEWED

RURAL MAIL SERVICE

I want to discuss a few of the items in these two appropriation bills. The sum of $105,506,000 is for the rural-mail service. This service was inaugurated during the second administration of President Grover Cleveland, when William L. Wilson, of West Virginia, was Postmaster General. A small initial appropriation was first made for experimental purposes and three rural routes in West Virginia were inaugurated. How greatly this service is appreciated and how much it has grown may be seen from the statement that there were only 82 routes in operation in 1897, whereas at the close of the fiscal year ending June 30, 1926, or 30 years after its inauguration, there were 45,318 rural routes, and of these 1,272 were in my own State of Oklahoma. I think no appropriation is more easily justified than this one. The appropriation for the year 1897 was only $40,000. For the last fiscal year it was $88,350,000, and for the current year for this item there was an appropriation of $105,600,000. This item has been decreased in the present bill by $94,000. The hearings disclose that the Fourth Assistant Postmaster General assured the committee that this appropriation would be ample. It is anticipated that all new routes that may be needed during the coming year will be provided for by this appropriation. The newer States are of course more deeply interested in this item than the older ones, for the reason that few, if any, new routes or changes in old routes are needed in the Eastern States.

With rural-mail facilities the farmers are able to receive letters at their doors daily and are enabled to take daily papers and keep up with the current news of the day and the daily market quotations. This service is of very great value to them, and it should be enlarged and extended so that every community throughout the country may receive its benefits.

THE INDIAN SERVICE

For the Bureau of Indian Affairs there is an appropriation for educational purposes of $6,383,700, an increase of $97,500 and in addition $49,000 expended from tribal funds. More than half of the appropriation for the Indian Service is for educational purposes.

The item for relief of distress and conservation of health is $988,000, an increase of $157,000. Both items are justified. There has been a pressing need for years for increased appropriations for health work to combat tuberculosis, trachoma, and other diseases prevalent among the Indians and from year to year urgently recommended.

The bill carries $150,000 in aid of rural schools in eastern Oklahoma in lieu of taxes not received from nontaxable Indian lands under the several agreements.

For the Sequoyah Orphan Training School $77,500 is appropriated. This is the only exclusively orphan school in the United States where none but restricted Indian children may attend and it has now a capacity of 300. For the Indian School at Eufaula, Okla., $38,250, and for the Euchee School at Sapulpa, Okla., $35,750 is appropriated from the Federal Treasury, inasmuch as the Creek tribal funds heretofore used for these two tribal schools are exhausted.

In addition, the bill carries the usual appropriations for the office of the superintendent for the Five Civilized Tribes and the other branches of the Indian Service in Oklahoma.

NUMBER OF INDIANS IN THE UNITED STATES AND IN OKLAHOMA

The Bureau of Indian Affairs in its report estimates that there are 349,876 Indians in the United States. A great many of them are free of any Federal supervision. Of this number, it is estimated there are 120,487 in Oklahoma. There were enrolled as members of the Five Civilized Tribes 101,506. Of this number, approximately 75,000 were Indians by blood.

In the summer of 1926 a census of the living restricted Indians of the Five Civilized Tribes was taken. The report shows there are 9,100 restricted full-blood enrolled members of the Five Civilized Tribes living and 2,286 restricted members of one-half or more Indian blood, making a total of 11,386 living enrolled restricted Indians of the Five Civilized Tribes, divided by nations as follows:

Cherokee Nation: Of the full blood, 2,621; half or more Indian blood, 720; total, 3,341;

Choctaw Nation: Of the full blood, 2,527; half or more Indian blood, 445; total, 2,972;

Chickasaw Nation: Of the full blood, 1,261; half or more Indian blood, 435; total, 1,696;

Creek Nation: Of the full blood, 2,221; half or more Indian blood, 539; total, 2,760; and

Seminole Nation: Of the full blood, 470; half or more Indian blood, 147; total, 617.

It is not generally known, even in my own State, that there are in all 33 Indian tribes in Oklahoma, and the aggregate number of all the Indians in Oklahoma, as estimated by the Bureau of Indian Affairs, is 120,487.

PENSIONS

There is appropriated for pensions in this bill $222,708,460 for the coming fiscal year. The following interesting editorial from the Washington Post reviews the cost of pensions to the Government:

THE COST OF PENSIONS

The Commissioner of Pensions in his annual report discloses the fact that the pension roll for the past fiscal year has lost nearly 11,000 names. The roll of Civil War soldier pensioners has been reduced by nearly 20,000, and that of widow pensioners by more than 14,000. These losses were offset considerably by a gain of over 20,000 to the Spanish War soldier roll, and more than 2,000 to the accompanying widow roll.

There are still 106,000 Civil War veterans on the pension rolls, 226,000 Civil War widows, 122,000 Spanish War veterans, and 20,000 Spanish War widows. Nine soldiers of the war with Mexico still receive monthly checks from the Pension Office, and 20 widows whose husbands served in the war of 1812 still are listed.

The pension system dates back to 1790. From that time to date more than $7,000,000,000 has been distributed to pensioners, of which more than $6,000,000,000 has been paid on account of the Civil War, and $181,000,000 on account of the war with Spain. The Revolutionary War cost only $70,000,000 in pensions.

Wars must be paid for many years after armistices and treaties are signed. Since the average pension paid to a Civil War veteran is $802.64 and a widow $378.86, that war alone will cost during the coming year in the neighborhood of $170,000,000. Although many names will be removed from the pension bureau lists during the year, the payments to veterans and widows of the World War, administered by another bureau, are bound to increase. The present-day cost of the Civil War is staggering, but few will be found who will not admit that the preservation of this billion-dollar country was worth every cent of the cost.

FEDERAL EXPENDITURES FROM 1791 TO 1926, INCLUSIVE

The expenditures for the first 15 months of Washington's administration were $4,269,027. I am herewith inserting a table showing the expenditures by the Government for the fiscal years from 1791 to 1926, inclusive.

Expenditures of the United States Government, by fiscal years, from 1791 to 1925

TOTAL EXPENDITURES CHARGEABLE AGAINST ORDINARY RECEIPTS

1791	$4,269,027	1859	$69,070,977
1792	5,079,532	1860	63,130,598
1793	4,482,313	1861	66,546,645
1794	6,990,839	1862	474,761,819
1795	7,539,809	1863	714,740,725
1796	5,726,986	1864	865,322,642
1797	6,133,634	1865	1,297,555,224
1798	7,676,504	1866	520,809,417
1799	9,666,455	1867	357,542,675
1800	10,786,075	1868	377,340,285
1801	9,394,582	1869	322,865,278
1802	7,862,118	1870	309,653,561
1803	7,851,653	1871	292,177,188
1804	8,719,442	1872	277,517,963
1805	10,506,234	1873	290,345,245
1806	9,803,617	1874	302,633,873
1807	8,354,151	1875	274,623,393
1808	9,932,492	1876	265,101,085
1809	10,280,748	1877	241,334,475
1810	8,156,510	1878	236,964,327
1811	8,058,337	1879	266,947,884
1812	20,280,771	1880	267,642,958
1813	31,681,852	1881	260,712,888
1814	34,720,926	1882	257,981,440
1815	32,708,139	1883	265,408,138
1816	30,586,691	1884	244,126,244
1817	21,843,820	1885	260,226,935
1818	19,825,121	1886	242,483,139
1819	21,463,810	1887	267,932,181
1820	18,260,627	1888	267,924,801
1821	15,810,753	1889	299,288,978
1822	15,000,220	1890	318,040,711
1823	14,706,840	1891	365,773,904
1824	20,326,708	1892	345,023,331
1825	15,857,229	1893	383,477,953
1826	17,035,797	1894	367,525,281
1827	16,139,168	1895	356,195,298
1828	16,394,843	1896	352,179,446
1829	15,203,333	1897	365,774,159
1830	15,143,066	1898	443,368,583
1831	15,247,651	1899	605,072,179
1832	17,288,950	1900	520,860,847
1833	23,017,552	1901	524,616,925
1834	18,627,569	1902	485,234,249
1835	17,572,813	1903	517,006,127
1836	30,868,164	1904	583,659,900
1837	37,243,496	1905	567,278,914
1838	33,865,059	1906	570,202,278
1839	26,899,128	1907	579,128,842
1840	24,317,579	1908	659,196,320
1841	26,565,873	1909	693,743,885
1842	25,205,761	1910	693,617,065
1843	11,858,075	1911	691,201,512
1844	22,337,571	1912	689,881,334
1845	22,937,408	1913	724,511,963
1846	27,766,925	1914	735,081,431
1847	57,281,412	1915	760,586,802
1848	45,377,226	1916	741,996,727
1849	45,051,657	1917	2,086,042,104
1850	39,543,492	1918	13,791,907,895
1851	47,709,017	1919	18,952,141,180
1852	44,194,919	1920	6,141,745,240
1853	48,184,111	1921	4,891,106,819
1854	58,044,862	1922	3,618,037,797
1855	59,742,668	1923	3,647,647,849
1856	69,571,026	1924	3,404,295,067
1857	67,795,708	1925	3,529,643,446
1858	74,185,270	1926	3,585,000,000

The Government has no money except that which it takes from the people through taxation, either direct or indirect. I believe in and have tried to practice the most rigid economy.

CONSTITUTIONAL AMENDMENT WOULD AID ECONOMY

I have introduced and there is pending before the Judiciary Committee of the House, House Joint Resolution No. 20, authorizing and empowering the President of the United States to veto separate items of an appropriation bill. The constitution of my own State of Oklahoma contains a similar provision, as do the later constitutions of all the States. The governors of practically all of the States have indorsed this proposed amendment. There is no objection to it except that of our reluctance to amend the Constitution of the United States. This provision would enable the President of the United States to reduce expenditures where large sums are added as riders to appropriation bills during the closing days of Congress.

OUR PUBLIC DEBT

Our public debt amounted on June 30, 1926, to $19,643,216,315, upon which we pay an average rate of interest of 4.1 per cent. Most of our outstanding obligations bear 4¼ per cent. Some of our temporary certificates bear less, making an average rate

for all of 4.1 per cent. All sums paid upon the principal by our foreign debtors are applied to the reduction of the public debt, and in addition much of the interest, because foreign governments are permitted to pay their indebtedness in our own obligations. In addition to this we pay 2½ per cent on what we term our domestic indebtedness. Most of our indebtedness with foreign governments has been funded. I voted against these settlements because they show a loss to the taxpayers of our country of the sum of $10,705,618,006.90, as shown by the following table:

Losses on foreign-debt settlements

Countries	Date of agreement	Funded principal	Interest to be received	Total	Total that would be received on British basis (3-3½ per cent interest basis)	Total that would be received on 4¼ per cent interest basis	Total canceled on a 4¼ per cent interest basis
Belgium	Aug. 18, 1925	$417,780,000.00	$310,050,500.00	$727,830,500.00	$1,041,597,000.00	$1,191,052,000.00	$463,221,500.00
Czechoslovakia	Oct. 13, 1925	115,000,000.00	[1] 197,811,433.88	312,811,433.88	252,890,000.00	327,854,000.00	15,042,566.12
Estonia	Oct. 28, 1925	13,830,000.00	19,501,140.00	33,331,140.00	[1] 33,331,000.00	39,428,000.00	6,096,860.00
Finland	May 1, 1923	9,000,000.00	12,695,055.00	21,695,055.00	[1] 21,695,000.00	25,658,000.00	3,962,945.00
France	Apr. 29, 1926	4,025,000,000.00	2,822,674,104.17	6,847,674,104.17	9,708,825,000.00	11,474,900,000.00	4,627,225,895.83
Great Britain	June 19, 1923	4,600,000,000.00	6,505,965,000.00	11,105,965,000.00	[1] 11,105,965,000.00	13,114,172,000.00	2,008,207,000.00
Hungary	Apr. 25, 1924	1,939,000.00	2,754,240.00	4,693,240.00	[1] 4,693,000.00	5,538,000.00	834,760.00
Italy	Nov. 14, 1925	2,042,000,000.00	365,677,500.00	2,407,677,500.00	4,923,820,000.00	5,821,552,000.00	3,413,874,500.00
Latvia	Sept. 24, 1925	5,775,000.00	8,183,635.00	13,958,635.00	[1] 13,959,000.00	16,464,000.00	2,505,365.00
Lithuania	Sept. 22, 1924	6,030,000.00	8,501,940.00	14,531,940.00	[1] 14,532,000.00	17,191,000.00	2,659,060.00
Poland	Nov. 14, 1924	178,560,000.00	257,127,550.00	435,687,550.00	[1] 435,688,000.00	509,058,000.00	73,370,450.00
Rumania	Dec. 4, 1925	44,590,000.00	[1] 77,916,260.00	122,506,260.05	107,488,000.00	127,122,000.00	4,615,739.95
Yugoslavia	May 3, 1926	62,850,000.00	32,327,635.00	95,177,635.00	154,651,000.00	179,179,000.00	84,001,365.00
Total		11,522,354,000.00	10,621,185,993.10	22,143,539,993.10	27,819,134,000.00	32,849,158,000.00	10,705,618,006.90

[1] Settlement made on British basis.

This amount would have paid more than one-half of our public debt and would have greatly relieved the taxpayers of our country and have permitted us to greatly reduce the taxes upon our own people. These foreign-debt settlements can not be justified.

The people throughout the country generally do not appreciate that because of the discriminatory tariff legislation that the exchange value of the farmer's dollar is worth only 60.3 cents, and that therefore the farmer loses 39.7 cents in exchange value out of every dollar expended by him.

THE BUDGET BUREAU: A REFORM URGED BY WOODROW WILSON

The present administration takes great credit for the Bureau of the Budget. It was one of the many reforms urged upon the country by President Wilson, who repeatedly recommended the Budget system; and Congressmen Fitzgerald, of New York, and Sherley, of Kentucky, during the Wilson administration urged such a reform. It was finally passed, but President Wilson was compelled to veto it because the Department of Justice advised that the removal of the Comptroller General by joint resolution of Congress was unconstitutional. President Wilson urged that this provision be modified so as to meet with the requirements of the Constitution, but a Republican Congress withheld action upon it until the succeeding Congress in order to claim a political benefit. I voted for the Budget system and made a speech favoring the bill when it passed the House in 1920 and was appointed as a member of the first committee during the session of Congress which ended March 4, 1921.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. LOWREY].

Mr. LOWREY. Mr. Chairman and gentlemen of the House, there are two matters to which I want to refer in this brief time. The gentleman from Georgia [Mr. UPSHAW] told us a right good gall story yesterday. I have a gall story to tell myself. A man went to a surgeon for examination and diagnosis. The surgeon, after examining him, said, "You have a very serious gall trouble; I do not see anything that will help you much except an operation." The man said, "Well, doctor, what will you charge me for that operation?" The doctor answered, "I never have performed that operation for less than $500." The patient replied, "Oh, doctor, I thought you said I was the one that had gall trouble." [Laughter.]

I rather think the Tammany bunch, as they are called, the bunch that led the bitter fight yesterday afternoon against prohibition, are the crowd that have the gall trouble and need the operation. [Laughter.]

The things that have been shown this afternoon, the bitter things that were said yesterday, designating our prohibition bunch by such terms as hypocrites, grafters, and once, I think, thieves—after all that was said about the amount of money that the Anti-Saloon League has been extracting from the pockets of the good people for a campaign fund, and then when we come to what was shown here this afternoon, I am reminded again of the negro woman in Mississippi, the mother of three bastard children. A new and strange woman came into the neighborhood, and this mother of the bastard children advised one of her friends not to associate with that woman because she had a sister that was the mother of a bastard.

But I took the floor to speak on another question, that same old question that some of you gentlemen, as was said by Kipling, "did not understand and," perhaps, "could not understand my position upon."

I was a little surprised when my friend the gentleman from Texas [Mr. BLANTON] showed that he did not understand my position on it. I thought he was in a position to get it. That is the Howard University question.

Now, I want to emphasize again that my position is not because it is an institution for the education of the Negro race. I am objecting to this appropriation for this institution as I am against the Mississippi mosquito—I do not like the way it gets its living. [Laughter.]

This bill proposes to appropriate to Howard University $368,000. That would be about 5 per cent on an endowment of something like $7,000,000. There is hardly an institution for white people in the State in which I live that has an endowment of one-tenth of that amount, and yet you ask me to vote under these conditions for an appropriation of this kind.

Again, this appropriation proposed in the bill is about one-third larger than the whole appropriation made to the Bureau of Education in the Interior Department. It is only about 10 per cent smaller than the appropriations made to both the Bureau of Education and the Columbia Institution for the Deaf. You are pyramiding that much in the way of Government appropriations to this one institution.

Again, it is the only institution, so far as I know, in the Nation for white people, Indians, Negroes, or anybody else that the National Government is sustaining for the purpose of university education.

Now, my friend from Texas said with great vigor last year, as if I did not know it, that they are preparing doctors and the race needs doctors; that they are preparing nurses and the race needs nurses. I accept that proposition, but the question is, Does that justify an appropriation of Federal money for an institution in a way that is foreign to all of our national plans and ideals along the education line and for a purpose which is the easiest purpose in America to raise money for by public subscription?

Mr. BLANTON. Will the gentleman yield?

Mr. LOWREY. I will.

Mr. BLANTON. Regardless of politics the negro has found out that the southern man is his truest friend. They come to us for everything they really want; they do not go to their other brethren; they come to us because they know that we are their friends. We can not afford to turn them down nor to turn their university down. That is my position.

Mr. LOWREY. My position is that it is the easiest cause I know of in all American philanthropy to raise money for by contributions. As you have said over and over, it is a cause for which this District could afford to come forward and make contributions.

Mr. BLANTON. But they will not do it.

Mr. LOWREY. Why should we vote out of the Public Treasury of the people year after year large appropriations, larger than we give the whole Bureau of Education, as large as we give the Bureau of Education and the Institution for Deaf in the District altogether—why should we vote that to an institu-

tion that really is not in a position to justify our voting away the public funds?

Mr. BLANTON. Because it can not get the money in any other way.

Mr. LOWREY. They raised $5,000,000 for Tuskegee and Hampton. I hold that if we would say this is not a governmental institution, it is not a thing for which we have a right to appropriate public funds, and make an appeal to the Nation on the same sentiment that is made here year after year, it would be the easiest thing to raise funds for it; but if we go on appropriating public funds year after year, voting out of the Treasury the money of the people, I say it is contrary to all the policies of our Government and contrary to the spirit of all other appropriations. Again let me remind you that there are nearly 5,000 young men and young women here in this District attending George Washington University. I asked a young man only yesterday what it was costing him, and he told me his tuition charges and fees will be between $250 and $300 a year. Those are struggling young people who need help. Why should we appropriate for this one institution and refuse all others?

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

Mr. TAYLOR of Colorado. Mr. Chairman, I yield ten minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Chairman, I do not think that I shall use all of the time allotted to me, because I desire to accommodate my distinguished friend from Pennsylvania [Mr. KELLY] who has labored so hard and so long and diligently in behalf of the toilers of the country. I understand that it is essential that his address get into the RECORD to-night, and for that reason I am going to limit myself as much as possible and then ask permission to extend my remarks in the RECORD.

I have listened with considerable interest to the debate that has been going on this afternoon. It has been interesting and entertaining. In connection with the address of the gentleman from Texas [Mr. JONES], who is a remarkably clear thinker and always a very forceful and eloquent speaker, I could not help but think that he would come nearer to the point if he suggested that he might not be out of line with the proposition made some months ago by the distinguished Senator from Pennsylvania, Mr. REED, in the Nation's Business, the organ of the United States Chamber of Commerce, wherein he suggested in his splendid article entitled, "If I were dictator for 48 hours," among other things that he would do would be to abolish instanter the Interstate Commerce Commission. I know that the country is not prepared for any such drastic movement as that, because the dislocations would be tremendous. As a consequence, I do not know that the best thought of the country would not revolt, and Senator REED saw that himself and said that he knew that he was a sort of John the Baptist crying aloud in the wilderness, but prophesied that the day would come in this country when we would go back to fundamentals and recognize that competition ought to regulate the price of everything, of every commodity that we use, and should be the controlling factor in running even the great transportation agencies and industrial bodies brought into existence as a result of a demand for them and not by the fiat of any regulatory organization. Without wanting to be controversial with respect to the creation of any commission, I, as an American believing it is for the welfare of my country, hope that Senator REED's vision is that of a prophet.

I hope to see the day when bureaus and commissions that came not as "good tidings of a great joy" into our national life shall be abolished. I am not a railroad man to the extent that I am interested financially in them, but knowing that they are the fundamental basis of our transportation system, I want them to prosper; and how can the gentleman from Texas, our genial friend Mr. JONES, or any other gentleman expect new construction to go on when we have restricted the railroads to an earning capacity of 5½ per cent? If that be a fair governmental policy, then it was a mistake on the part of Congress to repeal the excess-profits tax. I voted for the repeal of that tax, and I voted against the Esch-Cummins bill, so that I am somewhat consistent.

There is but one other observation which I desire to make, and I shall then content myself with extending the remarks which I make and in them invite the attention of the Congress to the development of our waterways.

In connection with the effort of the gentleman from Oklahoma, our good friend Mr. McKEOWN, who believes that he has a panacea for the ills affecting the agricultural toilers of the country, I fear that he will not get very far with his commission. Like all others, its futility will be demonstrated in time. What affects the South to-day, not to the extent that it did years ago when I was a clerk in a cotton house, is that it is still a condensed-milk country with cows running wild. It is not self-sustaining. It is sloganized into the belief that cotton is king, and as long as they propose to make 18,000,000 bales of cotton when there is a world demand for only a little more than 10,000,000 bales, they may justly expect to flounder in the slough of despond. They have to learn to make just a sufficient quantity of cotton to command a fair price in the world market, and to make their own foodstuffs at home.

It was a shrewd New Englander who made that apposite observation of the uneconomic attitude of the South, and the remark created such a profound impression upon me that I have never forgotten it, because slogans sometimes carry dynamic force with them. It expressed an economic and agricultural truth tersely but eloquently. But it is through the folly of one generation that the next acquires its wisdom. The South will yet come into its own and flow with milk and honey. The day will be all the brighter; the night has been so long and so dark. The teachers who have preached to make the farm of the South self-sustaining have not toiled in vain. The Gradys have not failed. For they never fail who labor in a great cause. A great many remedies have been offered for the agricultural ills of the West and South. I will therefore make bold to suggest a cure myself. Develop our waterways and then coordinate and unify them into the greatest transportation system in the world—a system necessary to maintain the commercial supremacy we have achieved, and make for the utilization of our fullest strength in the event the bugle blast should ever summon us to war again. Cato conquered the Roman mind and bent it to his will with Carthago delenda est. Carthage, her great commercial rival, was laid in ruins and Rome imperial power that ruled the world. So in every great movement in the beginning there are few torchbearers—a generation ago in the night of despair, for the prospects for waterways was dark indeed—a few brave spirits undauntedly held to their purpose—that of focusing the thought of the country on the fact that our rivers, tributaries, and lakes were our greatest national asset if properly used. Through flood control a navigable system throughout the great Mississippi Valley was the song that Senator RANSDELL, James Smith, Walter Parker, Ray Miller, Riley Wilson, and a few other choice spirits sang until their voices, joined by multitudes of the converted, became a mighty chorus. To-day the Rivers and Harbors Organization, the Mississippi Valley Association, the Intercoastal Canal Association of Louisiana and Texas, and many similar institutions, for they have become institutions, are powers in the land. We are all rapidly driving ahead to a comprehensive study of our water resources, and in the near future I predict a survey for that purpose will be ordered. The Newland bill was the first ray of light in the direction of changing a terrible liability into a magnificent asset. A bill introduced by myself, H. R. 5025, carrying out in a new and improved way the result that would have been achieved by the Newlands bill has been discussed from ocean to ocean. The sun is indeed rising gloriously for waterways, and before many years the Nation's grandeur will be reflected from her rivers and harbors.

I believe the public is rapidly getting ready for a real big word picture of the larger economic development of the country in aid of our permanent prosperity.

At less than the amount the World War cost us we can do the following things:

On all the great watersheds control the flood run-off, use it for power, irrigation, and navigation, and put an end to great floods and annual flood damage.

Open navigation channels from the upper Missouri, the upper Mississippi, Chicago, and Pittsburgh to the Gulf.

Create a navigable channel from the Gulf up the Rio Grande, across the Colorado, to Los Angeles.

Create a navigation channel from the upper Mississippi across the Rockies to the Pacific coast.

Complete a channel from Boston to the Rio Grande.

Build the Nicaragua Canal.

Build all the terminals and boats required.

I enjoy an intimate acquaintance with the friends of the waterway advocates I have mentioned. Some time since Walter Parker delivered an address which crystallized in an impressive way the many conversations I had with him on the subject of new markets for American business through a remade economic environment.

THE USE FOR BENEFICIAL PURPOSES IN PLACE OF WASTE IN DESTRUCTIVE FLOODS OF THE NATION'S WATER RESOURCES

Annually the people of the United States pay about eleven and a half billion dollars in taxes.

About 2,000,000 people are added to our population each year.

In periods of prosperity such as we have been witnessing, approximately fifty billions of new wealth are added to our national total every 12 months.

A youthful country, with monster natural resources and free play for business enterprise alone could produce such results.

Not many generations ago America was a wilderness. In the last hundred years the development of its resources was on a scale breaking all world records.

We are now changing our status. Economic pressure is forcing us to find world markets for the products of our mills rather than for the raw products of our fields, forests, and mines. Ultimately, the United States will import raw material and foodstuffs on a larger scale. Some day the United States will be largely dependent upon foreign supplies of raw material and food just as the older developed nations of the world now are.

Meanwhile, because of abundance, and because American business has developed a genius all its own, no governmental machinery for the guidance and development of the economic life of the United States, in the larger sense, has ever been created. Many bureaus, reporting to several departments, concern themselves with angles and parts of such problems, but the endeavor is not adequately coordinated nor comprehensively planned. In fact, a national policy, looking to the permanent economic welfare of the country as a whole, is yet to be formed. Such policy as may exist is vague, and subject to many throttling influences.

Already there is a popular revolt against the economic lethargy shown by the Congress and the several more recent Washington administrations.

The voters back home have learned that small-group effort avails but little and that large-group effort alone can fire the adminlistration and Congress to action. The immediate objective is the economic development of the natural resources of the country.

The farmers in the Missouri Valley and the West generally are demanding that their rivers be controlled and their surplus drainage be used for navigation and irrigation.

The manufacturers of the Ohio Valley are demanding that floods be controlled and surplus waters be used for navigation and power.

The people of the lower Mississippi are tired of floods, and are demanding that the Government put an end to muddling and place the flood drainage of the country in harness.

Industries are demanding low-cost water power and lower cost transportation.

Economists are insisting that interstate drainage, used for all beneficial purposes in place of wasted as destructive floods, will create a most valuable and entirely new economic margin, over and above normal profits, for American agriculture, industry, and commerce.

All of these varied interests agree in principle, and both Congress and the administration now reflect great pressure for action.

The outcome can hardly fail to be a national policy under which Federal, State, and local governments, and business enterprise can cooperate and work jointly to change the present liability of destructive floods into a national asset of power, navigation, irrigation, and flood control.

Twenty strongly backed projects for the relief of 20,000,000 acres, the annual damage to which is declared to be $1,000,000,000, were favorably reported in the Lower House of Congress at the last session.

A board of Army engineers, provided for by a special act of Congress, passed because the Government commission in charge had not found the solution, is now at work finding an emergency solution of the flood problem on the lower Mississippi.

Seven Mid-West States are preparing to join in a project to control and utilize the flood drainage of several great rivers.

The control of the Colorado River, and the use in place of waste of its flood waters, is now an acute issue in Congress.

Money for river and harbor development is no longer difficult to obtain, and it is now political suicide to call the river and harbor bill a "pork-barrel" measure.

The Federal barge line on the Mississippi no longer needs to fight for its political existence.

Several great organizations are cooperating for the economic development of the country.

The National Flood Prevention and River Regulation Commission, which is largely supported by the manufacturers of the country, is carrying on a nation-wide educational campaign in behalf of the use in place of waste of interstate flood drainage.

The Mississippi Valley Association, which is backed by some 400 local chambers of commerce, is demanding the prompt completion of a system of inland navigation channels.

Local angles of the national project for the use in place of waste of the water resources are being promoted by such organizations as the Ohio River Improvement Association, the Upper Mississippi River Improvement Association, the Interstate Commission for Flood Control in Seven States, the Safe River Committee of One Hundred, the Intracoastal Canal Association, and others.

The Mississippi Valley, from Pittsburgh to Denver, and from Canada to the Gulf, is now fully organized for flood control, river regulation, inland navigation, and power development, as will probably be fully evident at this session of Congress.

WORLD COMPETITION

The industrial and commercial nations of the world are entering a period of supercompetition in which the science of trade will play a far more important rôle than has ever been the case.

In such a period poorly planned endeavor will fail.

Handicapped regions will pay a penalty for lack of forethought.

Nations will need, for the economic use of their people, their every resource.

In some countries low wages and long hours will be depended on to help out business enterprise. The newer countries will rely upon virgin lands, untouched forests, and unexhausted mines.

The United States with its high wage scale more and more will find that it must make full use for beneficial purposes of its water resources, its last remaining unused and undiscounted natural asset of the first magnitude in place of wasting it in devastating floods, if it would be prepared to meet the keen competition ahead.

NEW MARKETS

Latin America, from Mexico's northern boundary to Cape Horn, is now the world's new market of greatest promise. It has every climate known. There are forests, mines, virgin lands by the hundreds of millions of acres.

The gates of all Latin America are open. The surplus peoples of the world will find welcome, and new land for new homes.

In its development Latin America will need practically all finished products. It will also need money. In exchange it will send food, timber, minerals, rubber, leather, meat. Its industrial development, as is the case with all new and richly endowed regions, will be relatively slow. For a century it can afford to sell raw materials and buy manufactures, just as the United States long did.

Every industrial nation will compete for Latin-American trade.

The United States is in the best position to get this trade, provided full use be made of its economic resources, which means that it must use, not waste, its water supply—use it for irrigation, for power, for stream-flow regulation and navigation, thus checking flood formation and soil erosion.

China is the next great market of promise. It has resources and the cheapest of labor. But the day is not far distant when China will spin and weave American cotton for final sale in the world's markets.

All of us are interested in these matters. The economic welfare of our towns is involved. Most of us are promoting city planning in order to develop industrial and civic efficiency. We are advertising your community advantages.

In the last analysis, business men are dependent upon community efficiency, which in turn is dependent upon the economic efficiency of the Nation as a whole.

For this reason chambers of commerce must look not only to the orderly development of the community, but must lead the community in playing its proper part in the economic development of the entire Nation.

National efficiency, now that we are dependent upon world markets and are no longer self-contained and self-sufficient, permits localities, which are in themselves efficient, to function fully. Hence it is that your duties must now relate to national as well as community economic welfare.

The Chamber of Commerce of the United States, efficient as it is, covers only a part of the field, and it is kept fully busy.

To keep pace with the times and to prepare for the competition ahead and for the new peoples constantly being added to our population, business opportunities must constantly be improved through constant improvements in the general economic environment.

For this reason national and regional organized thought and work on the grand scale are necessary.

You hear very little of the National Flood Control and River Regulation Commission. Nevertheless it is a powerful factor

in the economic development of the country. Among its chief backers are several thousand of the country's largest manufacturing enterprises who desire a national policy providing for the use, in place of waste, of the interstate drainage in order to increase the country's buying power, lower the cost of manufacture, and reduce the cost of transportation. The commission is spreading this doctrine throughout the Nation.

The Mississippi Valley Association is working for the early completion of a system of inland waterway channels which will connect up Pittsburgh, Chicago, Minneapolis, New Orleans, Mobile, Birmingham, Pensacola, Houston, Galveston, and Brownesville on the Rio Grande. Some 400 local chambers of commerce are working for their local waterway projects through the Mississippi Valley Association, thus mobilizing in behalf of the valley-wide system a congressional strength capable of polling 57 per cent of the total vote in Congress.

Ten years ago each locality or valley stood alone in fighting for its waterway project. Then such a project was looked upon as local, and treated as such by Congress. Those were the days when the river and harbor bill was often called the pork barrel.

Now, as a result of the work of the Mississippi Valley Association, each of these worthwhile local projects has become linked in the public mind as an essential part of a comprehensive system, and the status of each has been enormously improved by the recognized need for the system as a whole.

In the Middle West seven States have organized to bring about the control of the Arkansas River and the use of its surplus waters for power and for irrigation, so that such devastating floods as were recently reported will not occur.

The Missouri River Valley has been organized to bring about the control of that extensive river system.

Annually the Mississippi River brings down into the Gulf as waste approximately a cubic mile of solids, the silt washings of 41 per cent of the United States. This is equivalent to 3 inches of the top soil from 13,000,000 acres. No people can create or build up soil as rapidly as the Mississippi drainage system is carrying it away.

Because the forests have been cut out, and marshes and lakes drained in the process of development, the rainy season run-off has been greatly hastened. Water has less opportunity to soak into the ground. The ground water table throughout the country is dropping farther and farther below the reach of plant roots. Greater and greater floods form because of the rapidity with which the now unretarded drainage passes to the sea.

In periods of large floods some 2,000,000 cubic feet of water passes Cairo each second. Only 280,000 cubic feet of water flows over Niagara each second.

This monster asset of water can be harnessed in the source streams and be made to turn power wheels in aid of industry, irrigate dry lands in aid of agriculture, feed navigable streams in dry periods in aid of commerce.

Source stream control will check soil erosion and flood formation.

The whole can be made to create a new economic margin for American business over and above normal profits, just as steam power and machinery, in place of hand labor, created a new economic margin about a century ago.

America will need this new advantage in the period of supercompetition ahead. It will be absolutely vital if America is to extend the life of easy economy under which we are trained to live in the generations to come.

This is a matter of importance to each captain of industry, general of business, and captain general of finance. Consequently it is a matter of concern to the organizations those men support.

The time has come for the creation of coordinated governmental machinery for the systematic economic development of the country.

A militant public demand is required to bring about the creation of such governmental machinery.

The local chamber of commerce, which has now developed from little more than a committee of hopeful citizens into a virile, well-informed, and strongly manned guardian and promoter of the public welfare, offers by far the best opportunity for effective expression by the thinking minority and for the development of such a militant public demand.

On matters relating to business legislation, international relations and the like, the local chamber can work with all its fellows through the United States chamber.

For the use for beneficial purposes in place of waste as destroying floods of the Nation's water resources it can work in conjunction with all others through the National Flood Prevention and River Regulation Commission.

For navigable channel improvement it can, in the case of the Mississippi Valley, work through the Mississippi Valley Association.

Great organizations are promoting the development of the Columbia, the Colorado, and other rivers.

And so the local chamber of commerce finds its scope broadened. It is a lighthouse at home and a worker for a city plan. It is also a militant force nationally and as such is working for a national plan under which the larger economies available to each locality can be developed to their maximum efficiency.

Every worthwhile citizen looking to his own welfare should do his part to make his local chamber of commerce effective.

Mr. CRAMTON. Mr. Chairman, I yield eight minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Chairman and gentlemen of the House, I appreciate the courtesy of my friend from Louisiana, Mr. O'CONNOR, who has so graciously aided me to secure time in this general debate.

I desire to address myself to a question which is assuming importance in many States and especially in Pennsylvania.

We are hearing criticism of the direct primary from many quarters, and the Pennsylvania direct-primary system has not escaped its full share of attacks. In fact, the results of the State-wide primary of 1926 are being pointed out as a prize exhibit in the case against this method of nominating public officials.

Some very prominent Pennsylvanians in public and private positions have vigorously denounced the direct primary and have advocated a return to the convention system. They declare they will do all they can to induce the legislature of the Keystone State to repeal the direct primary law, which has been in operation for 20 years.

In my estimation they have undertaken an unholy and unfortunate task. They are fighting the one steady and increasing purpose which has marked the entire history of Pennsylvania.

I know it has become fashionable to point the finger of scorn at Pennsylvania politically. That she has been contented sometimes when she should have been contending must be admitted in the face of the disappointing proportion of eligible voters who go to the polls at certain testing times.

But the assertion that any great number of people in Pennsylvania have been corrupt or corrupted is an absurd falsehood. The citizenship is and has been unpurchased and unpurchaseable. The one permanently incorruptible thing in that old commonwealth is the whole people.

Mr. Chairman, there is not a State in the Union which can equal the history of Pennsylvania in her continuous, determined effort to put responsibility for government directly upon the people themselves. She has had her "bosses" and her "machines"; her powerful special interests and self-annointed "superior classes," but they have not been able to prevent a steady advance in the methods of nominating and electing public officials.

After all that is the real test. And if those who now propose a return to the discarded convention system should succeed it would be the first backward step of the kind in all the long history of Pennsylvania.

From the very beginning the doctrine that the people shall at least have the opportunity of ruling is embedded in Pennsylvania political foundations. William Penn made it a fundamental principle. Before he ever saw his woodlands he wrote a letter to the inhabitants there in which he said:

> I hope you will not be troubled by your change and the King's choice, for you are fixed at the mercy of no governor who comes to make his fortune great. You shall be governed by laws of your own making and live a free, and, if you will, a sober and industrious people. I shall not usurp the right of any.

At a time when the possession of property was a universal suffrage qualification and when often only the wealthy citizens could vote, the suffrage requirement in Pennsylvania was the rental of 100 acres of land at a penny an acre.

Even this restriction was later opposed by that great Pennsylvanian, Benjamin Franklin. He strongly urged a vote for every man. "Limitation of suffrage," declared this wise, old champion of democracy, "tends to depress the virtue and public spirit of our common people."

James Wilson, signer of the Declaration of Independence, member of the Constitutional Convention and Justice of the Supreme Court, was another of the Pennsylvanians who helped shape the traditions of the State.

> If the majority can not be trusted—

He declared—

> it simply proves that we are not fit for one society.

It was in the spirit of these great men that Pennsylvania led the way toward government of the people, for the people, and by the people. It was because of that devotion that Henry Adams said in his History of the United States:

Had New England, New York, and Virginia been swept out of existence in 1800, democracy could have better spared them all than have lost Pennsylvania.

Mr. Chairman, through the succeeding generations there was a consistent battle to make government really responsive and responsible. A series of steps was taken to meet changing conditions, each one giving the people more direct control.

King Caucus was overthrown and the power taken from public officials to name candidates for office. The list of slate makers was widened, but the people were not satisfied. They demanded the right to name delegates to represent them in nominating conventions. It must not be forgotten that the convention itself was a great advance toward people's rule over the caucus system which preceded it, and which shut the rank and file from any voice in the selection of candidates.

But the convention proved a failure. There was no legal control over the local caucus and no successful method for bringing such voluntary party assemblages under the law. The "machine" flourished and the "bosses" named the delegates.

An attempt was made to provide for the election of delegates through legal primaries. This gave the voters the right to name delegates who had pledged themselves to vote for the candidates they favored. But it contained no assurance that the delegates would keep their promises.

Under that system Pennsylvania witnessed the nomination of a governor by the "boss" when a clear majority of the delegates had pledged themselves to a rival candidate. With slight difficulty and the expenditure of a comparatively small amount of money the decree of the voters was flouted by the convention.

Mr. Chairman, the next step was inevitable—the nomination of public officials directly by the people. Pennsylvania did not lag behind; she led all the rest to direct primaries. As a matter of fact, the first direct-primary system established in the United States was that of Crawford County, Pa. This system was originated in 1860, the year that Abraham Lincoln was elected President of the United States.

The reasons for such action are given in the resolutions adopted by the county convention by a vote of 86 to 2. That resolution was as follows:

Whereas the present system of nominating by delegates, who virtually represent territory rather than votes and who almost necessarily are wholly unacquainted with the wishes and feelings of their constituents with regard to various candidates for office, is undemocratic because the people have no voice in it, and objectionable because men are often placed in nomination because of their location, who are decidedly unpopular, even in their own districts, and because it affords too great an opportunity for scheming and designing men to accomplish their own purposes: Therefore be it

Resolved, That we favor submitting nominations directly to the Republican voters and that delegate conventions for nominating public officers be abolished, and we hereby request and instruct the county committee to issue their call in 1861 in accordance with the spirit of this resolution.

Mr. Chairman, this system of a voluntary direct primary was used in Crawford County for 45 years before the general system was established by act of legislature. It was followed by Lancaster, Indiana, and a number of other counties. After 1888 it was in use in several congressional districts embracing two or more counties.

Efforts were made in Crawford County to return to the delegate system. In 1876 a popular vote was taken, with the result that 1,585 votes were cast for the primary against 533 for the convention. Another test was demanded and the vote was taken in 1879. This time it was 1,945 for the primary and 416 for the convention. No further attempt was made by those who favored the convention.

Of course, action by isolated counties and districts could not solve the problem of irresponsible State government. The convention system applied to all State officials and the evils of misrepresentation and corruption became unbearable.

The capitol steal, engineered by convention-named officials and their appointees, aroused the people of Pennsylvania to a realization that the best cure for such disease in the body politic was to be found in direct nomination of all public officials.

There followed such a public demand that all opposing forces bowed before the storm. Governor Pennypacker issued a call for a special session of the legislature to be held January 15, 1906. In his own words the purpose of this session was:

First. To revise the laws relative to primary elections in such a way as to provide for the holding of the primary elections of all parties within the Commonwealth on the same day at the same time, under the supervision of properly constituted officers, and to make such changes in or additions to these laws as may seem advisable.

When the legislature met the sentiment was universal that a real direct primary law must be passed. There was no denial then as to the determined demand of Pennsylvanians. There was none of the arguments we are hearing to-day as to the superiority of the convention system. They were confronted by a condition, not a theory. As one senator expressed it:

Though composed, with a single exception, of the same men who met here last year, we are all now reformers, or at least reformed men.

Throughout the entire debate in both houses the legislators vied with each other in their high devotion to direct primaries. Many of them sincerely desired to eliminate the evils of the irresponsible convention. Some, perhaps, were described by a member of the house when he declared:

What has brought about this awakening? The constitution of Pennsylvania? Oh, no. The call of the governor? Oh, no. It was brought about by the fear of reelection.

No matter what the motive in the breasts of the lawmakers, there was complete unity of purpose. There could be no defying the lightning of the people's mandate. The job had to be done.

Fortunately, there was in the State senate a man who knew at first hand the working of the direct primary. He had helped to establish it in his own county and congressional district. He was heartily in favor of it as a matter of principle and practical politics.

That State senator took charge of the direct primary bill and reported it from committee. He guided it through the senate and the conference until it received the governor's signature.

The leader for direct primaries in 1906 is still in public life, and his trust in the people has been rewarded by the trust of the people. In the direct primary of 1926 they nominated him, and later elected him by the largest majority ever given a State candidate, to the office of governor of the Commonwealth. For the man who led the fight 20 years ago and who is now in a position to ward off the attacks against it is Governor-elect John S. Fisher.

Mr. Chairman, I have read the proceedings of that special session carefully, and such a perusal might be especially recommended to those who have the foolish idea that the primary law of Pennsylvania was due to the hasty, ill-considered action of half-baked reformers.

It was passed by experienced and conservative legislators, answering the irresistible demand of the people. They had been forced to admit that the convention was outgrown and the source of many serious evils. They set to work in earnest and before they concluded their work they had dealt with not only direct primaries but with laws for the personal registration of voters, civil service, and corrupt practices.

Every change made in the original draft of the direct primary bill was in the direction of a stronger, better, more democratic law.

That was the only special legislative session in the history of Pennsylvania that did the work for which it was called.

It is an example—

Said one member of the house—

of the omnipotence of a free people aroused to duty.

The legislation you have enacted—

Said the governor to the legislature as he signed the law—

will do much to place on a high plane the administration of public affairs in this State. You have had regard in what you have done for the welfare of the Commonwealth.

The direct primary law was an evolution not a revolution. The preceding methods of nomination had each been a step in advance, but each failed to give full and free expression to the will of the people. For the past 20 years the direct primary law has been in operation. Its influence has been wholesome, since it places the responsibility where it belongs and provides the people with means for correcting their mistakes.

The outcry against the primary does not come from the people of the State. If a law to abolish the primary and substitute the convention were submitted to popular vote it would be overwhelmingly defeated. Any legislator who takes a different attitude and declares by his vote that the people of the State are not intelligent enough to select their representatives will learn that they are intelligent enough to vote at the general election for men who will uphold the direct primary.

If the lessons of the past teach us anything it is that those political leaders who are urging repeal of the primary are advocating action dangerous to party and the leadership espousing it. We are headed forward to fuller democracy, not backward to political despotism. There is no surer way for them to start a political revolution than by attempting to take from the people the fundamental right to name their own public officers, a right they have enjoyed for a score of years.

Mr. Chairman, what is it they advocate with such agonized concern for the public welfare? Not the correction of defects, but the return to a system proven by experimentation to lead inevitably to misrepresentation and corruption.

The convention was weighed in the balance and found wanting. No patching and tinkering could remedy its fundamental defect; it built a barrier to peoples rule.

The convention to which these gentlemen ask us to return was a gathering where, in actual practice every public interest had a value, to sell or buy or trade, but where the public had no weight. Elective offices were bought and sold; politicians divided appointive offices among themselves. Supervision of banking, insurance, education, public health, and charities was put on the bargain counter. In the convention and around it gathered those who looked to legislation to advance their interests through subsidies, appropriations, and the taxing power.

All this activity went on in stealth and secrecy. If those in control of the convention cheated it meant no implication, but if they were cheated it was disgrace.

Pennsylvania freed herself from an intolerable system when the convention was discarded. To go back to it now would be as silly as to return to the flail and sickle in preference to the reaper and threshing machine. The old horse and buggy will go as far and as fast as it did 30 years ago, but no sensible man urges that we scrap motor transportation and return to the old method.

Junk men have a place in industry. Their function is to gather old and worn-out material, so that it may be melted for new and better machinery. But they become a nuisance and a menace if they begin wrecking expensive and valuable machinery for their own profit.

Mr. Chairman, that is exactly what these primary junkers are attempting. We may admit that experience has shown certain minor defects in the present primary law. But the machinery is fundamentally right. Its defects can be corrected and its operation improved, but it is an assured fact that not one of its so-called defects would be cured by a return to the convention system.

Let us analyze the opposition to the direct primary. In spite of all dodging and doubling, the fact remains that these opponents deny that the people are intelligent enough or honest enough to directly nominate worthy officials. The whole purpose of the direct primary is to enable the people to control their Government, since the power of election without that of selection is only a shadow power.

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

Mr. KELLY. Certainly.

Mr. CROSSER. Is not that argument now used against the primary the same as was urged in general elections originally?

Mr. KELLY. Absolutely. If the people do not have sense or integrity sufficient for the nomination of their public officials, they are unfitted to elect them. If that is the situation, our whole form of government is a delusion and we must frankly admit that we can not govern ourselves and should crown a king in Washington.

If that is true, those we have regarded as great patriots have been blind leaders and those who trusted them have been only dupes. *Lincoln* was wrong when he struggled and sacrificed that government of the people, for the people, by the people should not perish from the earth.

How utterly mistaken were all those great souls who taught that the cornerstone of American Government is the doctrine of people's rule. For this the War of the Revolution was fought and blood and treasure poured out in the Civil War.

But it is these latter-day opponents of real popular government who are mistaken, and they shall not undermine the fundamental American principle. Public officials are elected for no other purpose than to express the will of the people. The primary makes more nearly certain the achievement of that end, and those who fight it now are denying the rightful supremacy of the people's will.

Mr. CROSSER. Is there any argument to be advanced against the right of the people to choose the standard bearers of a party that can not be urged against the elections themselves?

Mr. KELLY. Not one to my knowledge. The question involved is the fundamental one of people's rule.

Mr. CROSSER. We had this proposition before us at the last election in Ohio, and the primary system was retained by a 2 to 1 vote.

Mr. KELLY. Yes; and the same thing will happen in Pennsylvania if the people are permitted to vote directly upon it. In any case, the voters will conduct a personal referendum on legislators who vote to take away a right which has been universally admitted for 20 years.

Mr. WINTER. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. WINTER. When the proposal to repeal the primary law was submitted to the people of Nebraska it was defeated in 84 out of 85 counties, was it not?

Mr. KELLY. Yes; that is true. It is added proof that the people are determined to make this Republic not only safe but also sure for democracy. What is the justification, Mr. Chairman, for this scoffing at the idea of people's government, where the average man has his direct voice? The average American is honest. Every business in the land stakes its very existence on that fact. Ninety-five per cent of our business is done on credit, which is but another name for honesty.

The average American is intelligent and efficient. Every day we trust our lives to the ability and loyalty of our fellows. We board a railroad train and rest content in the skill and devotion of the engineer and train crew. On the road in an automobile we trust our lives to every driver who speeds past in his car. Our food and our water would be poison without the intelligence and faithfulness of those who prepare them for our use.

The average American is patriotic. He wants the best in every test for America. He is opposed to crime and disorder. He desires good government, not bad government; and he stands for clean and honorable political policies.

Admit that he is sometimes indifferent to the right of franchise. Still, I maintain that control by interested voters is better than any class sovereignty. Let the weapon be always ready to the hands of all the voters. When aroused to the need they will use the weapon, and it must not be put beyond their reach.

Mr. Chairman. I know the stock argument of the enemies of direct primaries and the black picture they paint of present conditions. They declare that public office has been degraded and public officials have degenerated under the system of direct nominations. "Where are the master men of the past?" they ask with tearful eyes and trembling voices. Their prize exhibit is the United States Senate, which, they affirm, since direct nomination and election has become an ignorant collection of third-rate political demagogues.

I deny emphatically that because certain public officials chosen by the people do not please certain privilege-seeking interests or certain political machines or certain self-annointed intelligentsia that they are necessarily incompetent or dishonest. It may be that the very qualities which make the officials displeasing to these interests are responsible for the approval of the voters who nominated and elected them.

Some of the wisest political observers in America have known intimately public officials in Washington since the seventies. They maintain that far lower standards of political morality prevailed among the so-called superstatesmen of past eras than the present. Even with all the sifting through legislatures and conventions there was a far lower level of ability and achievement than to-day.

Under direct nominations public officers are more upright, more faithful, and more diligent. Better standards of public and private conduct prevail among them. The rule of the people has lifted, not lowered, the public service.

As to the United States Senate, it is a more truly representative body than it ever was under the old system. It was in 1904, before direct nomination, or even direct election, that David Graham Phillips published his Treason of the Senate. He named names and cited records. His publicly proclaimed conclusion was that 90 per cent of the then Senators were tools of the railroad, oil, steel, beef, and other trusts. Whether true or not, Phillips was never found guilty of libel. No one contends to-day that 90 per cent of the Members of the Senate are creatures of certain big business combinations. It is not true, and perhaps that accounts for some of the attacks on direct primaries.

Grant that the voters do make mistakes and sometimes crown with victory a candidate who merits defeat. They are responsible for it, and they can and will correct it. Such a mistake is sometimes the most hopeful thing about the system. When the people have no one to blame but themselves they take the steps necessary to correct the situation.

Under the convention system the people are often rendered helpless to correct mistakes.

"But the people won't vote" say the enemies of direct primaries. Ten times as many voters participate in the primaries than would vote for delegates to a convention. In any case is it a good argument for the destruction of an efficient tool to say that it is not being used?

If there is indifference, all the people have to do to end that objection is to go to the polls and vote. I can not follow the reasoning that since the people are asleep they should be deprived of the means of protecting their own interests when they wake up.

It is true that the direct primary is no automatic device for the production of good government. It is only an agency for the use of the people in expressing and enforcing their will. If such a tool is not used, it will be valueless, but when used it will accomplish anything the people really desire.

There was a time when I laid too much stress on the mechanism of politics. When I stood at Armageddon and battled for the Lord and Teddy Roosevelt I believed that what we desired could be secured by political and social inventions of one kind or another.

I remember that I announced with confidence that the first result of direct nomination and election of United States Senators in Pennsylvania would be the elimination of Senator Penrose as political "boss" of the State.

But I was mistaken. Senator Penrose ran the gauntlet twice and held his seat just the same. Still that was no argument that the direct-vote system was a failure. It was simply a proof that without the necessary effort on the part of the people the political machine could control.

Mr. Chairman, we are advancing toward real popular control through popular responsibility, and the country is not going to smash. The gloomy forebodings of the believers in the superiority of class wisdom over mass wisdom are unwarranted. America has come to her present high place because of leadership which represents the will of the people. The people have proved that they are safe and sane, honest, and intelligent. They are not infallible, but they suffer far less from their mistakes than from the plots of a scheming, power-hungry minority. To attempt now to turn back the clock of progress by taking from the people their right to nominate their agents is to brand its advocates with a denser ignorance than the people have ever yet shown.

Then the enemies of the direct-primary system say that the convention plan is less expensive. They are grief stricken over the thought that the poor man has no chance in the primary against his rich competitor. They point to the expenditure of great sums in the Pennsylvania and Illinois primaries as reason for the destruction of the whole system of direct nominations.

This is mere rationalizing. Most of those who use the argument really mean that it is less expensive for sinister groups in business and politics to control government through conventions than through direct primaries.

The individuals and interests that make up the slush funds for the nomination of public officials do not contribute; they invest. They expect to receive their money back and more in special favors. They are simply trying to buy the right to dictate governmental action, to run the Government by proxy.

It is a difficult and uncertain undertaking under the direct primary system. The victory does not always perch on the banner of the side with the most money. It does not bring results, as in a convention.

The fact is that most of the huge sums spent in recent statewide primaries has been wasted. Expensive headquarters in city hotels, with a large force of clerks, eat up campaign funds but do not swing elections.

Then the campaigners who feel out sentiment and the tons of literature sent broadcast are expensive but comparatively ineffective in results.

There are hundreds of ways of burning up campaign contributions, and none of them is neglected in these superfinanced campaigns. But after all, they have absolutely no effect on the great mass of honest voters who vote as they believe right and upon their own judgment. Those who can be swayed by such methods, added to the corrupt and controlled vote, make a hopeless minority of the whole citizenship.

That fact is understood so well by the slush-fund contributors that they desire to destroy the direct primary and go back to the convention. They may purchase a convention, but they are not rich enough to purchase a people. They have a deep-seated conviction that the people not only will not make mistakes but that they will show dead-shot marksmanship. That is the real reason for the tears flowing down some hardened cheeks at the thought of the evils of the direct primary.

Mr. Chairman, under the old convention system the manipulators always wanted candidates who could supply campaign funds. The same source could be and was utilized for the "persuasion" of delegates, even though they were pledged to another candidate.

The expenditure of great sums of money to secure public office deserves the condemnation of every good citizen. But the primary is not responsible for such expenditure. The same kind of campaign for convention delegates would cost as much as the campaign direct to the voters. If great sums of money are spent by candidates, it is proof that they are trying to make money take the place of popular appeal.

The remedy lies in the enactment of stringent corrupt practices acts covering the practices which experience shows give money an advantage. There should be complete publicity of all expenditures, and the violation of the law should automatically void the nomination.

As to the cost of primaries to the State, it is true that the expense is greater than for conventions, which in the old days cost the State nothing at all directly. It can be proven, however, that the indirect cost of control through conventions was exceedingly expensive to the taxpayers.

Then, too, if the primary for the election of delegates is to be anything more than a farce it must be supervised by the State, which means the same expense as in a direct primary. If the cost is the only thing involved, we could save money by abolishing all elections, but even the opponents of the direct primaries do not advance such a doctrine of economy.

After the Pennsylvania primary of 1920 I wrote to officials in each of the 67 counties of the State, asking for a statement of the cost and the number of voters.

Practically all responded and a tabulation of the replies showed that the entire cost was about 60 cents for each vote cast.

Was it worth that expenditure? Even the one item of the elimination of the misrepresentation of the convention system far exceeded in value the total expense. The knowledge that every voter had in his possession a direct voice in the nomination prevented the discontent which might have led to serious ills. If the people are to own their political machinery they must pay for it. If private interests own it the people must pay just the same. Between the two there should be no doubt of the proper choice.

The cost of the primaries can not be too great if the underlying purpose is accomplished. That the purpose is being realized is best proven by the opposition to the primary system.

Mr. Chairman, another argument is made against the primary and that is that the system lowers party leadership and responsibility. That is, that argument is made when it suits. It was made in Pennsylvania when Gifford Pinchot was nominated for the governorship on an "antimachine" platform. But when WILLIAM S. VARE was nominated for the United States Senate it was loudly declared that the primary system is solely for the benefit of the "boss" and the "machine."

Both statements can not be true. The direct primary can not at the same time be responsible for destroying party leadership and enthroning party leadership. It can not at once be the guard of the "insurgent" and the defense of the "machine."

The fact is that the direct primary is simply an out-in-the-open, honest method for the expression of the will of the voters. A party is only a means to an end, not the end itself. The party does not consist of self-constituted rulers of the "machine." It consists of the rank and file.

Sometimes the "machine" is able to win in a direct primary but its candidates must come before the people and announce their position out in the sunlight. If the people are in favor of the "boss" they are entitled to name him for any public position. If they are indifferent enough to permit him to be named by default, they are still responsible. It does not matter at all what "slates" the "machine" may put up, if the people have the power to smash the slate when they so desire.

That is a vastly different situation from the old convention days when a voter's business was to vote as he was told, and the "bosses'" business was to frame the slates, write the platforms, and announce the candidates without comment, advice, or interference from the rank and file of the party.

I agree with Hon. James Bryce when he said:

> The danger in a democracy is that the people will lose interest and turn things over to the political boss. When this is done we get the worst possible form of government; that is, we are governed by the worst in the worst possible way.

That condition was assured under the old convention system. It was an accident if it did not prevail. Under the direct primary it is the exception.

Under the convention system the independent candidate had no opportunity.

To him who braved the boss, every door was shut, every knife was open. To support him was a crime.

Under the direct primary system the independent candidate can secure the support to which he is entitled. He is not out of the running because he does not bear the marks of collar or chain.

William Tweed was the pioneer boss who originated the principle upon which all corrupt bosses and "machines" must rest their power. His famous phrase was "Let me nominate the candidates for public office and I care not who elects them."

By giving to the people that most important power, party machines have been defeated more often than through any other method. They will be defeated every time the people really wish to do the job. That is all that is asked by those who believe that the people are entitled to have exactly the kind of government they desire.

Mr. Chairman, by the measure the direct primary lowers party responsibility it increases individual responsibility. The candidate presents before the members of his party the policies and principles by which he will be guided if nominated and elected. He submits to them his past record. If he is chosen by the people he is responsible to them and owes his obligations to them.

To argue that he should renounce his pledges to follow an irresponsible group within the party is simply to put partisanship above the public welfare. The direct primary does interfere with such party responsibility, and that fact is unanswerable argument for its extension rather than its destruction.

Mr. Chairman, the direct primary is a tool of democracy for shaping a people's government; it is a weapon in the hands of voters which they can effectively use in time of need.

It is the successful protest against misrepresentative conventions; it is an antidote to the political poison of snap, stolen, and packed caucuses.

It is a vital part of the right of suffrage, since the right to elect candidates is worthless without the right to select them.

It is a road to people's rule; it is the window through which the light comes in on public candidates and officials.

It is no automatic device for good government, but it puts responsibility upon the voters, with power to correct their mistakes.

It is the agency through which machine rule may be overthrown when the people desire; it safeguards patriotic leadership which seeks to serve the public.

It gives the poor man and the man of independent mind a chance they never had in conventions; it puts patriotism above "party-rot-ism."

It is the Pennsylvania plan, adopted from the Keystone State by 45 States; the convention system in Pennsylvania is as extinct as the dodo.

It is a long-held and valued possession of the citizens; it contains dynamite enough to annihilate those who would destroy it.

It is an essential part of the sweep toward democracy; it is a vital factor of the popular government which is irresistible as the tides.

It is the man over the machine; the people over the political boss; the public good over private gain. Its defects should be corrected but its existence must not be endangered.

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

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

Mr. BLANTON. Mr. Chairman, there is in this bill a provision to appropriate $804,000 for St. Elizabeths Hospital. The superintendent of that institution sought before the Budget to have given him also an additional sum of $5,000,000. He was turned down, properly, by the Budget.

When I began to check up some of the business of St. Elizabeths Hospital last November it had then 4,465 inmates, patients afflicted with mental diseases. Since then, since the investigations which we have been making under congressional authorization, the Veterans' Bureau alone has removed from that institution 488 shell-shocked veterans of the World War and sent them to their States, and it is still removing such patients.

Mr. BLANTON. I shall not take up further time, and I yield back the balance of my time. [Applause.]

The CHAIRMAN. If there is no further debate, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1928, namely:

OFFICE OF THE SECRETARY

SALARIES

Secretary of the Interior, $15,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia in accordance with the classification act of 1923, $345,000; in all, $360,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment for personal services in the District of Columbia in accordance with the classification act of 1923, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the classification act of 1923 and is specifically authorized by other law.

OFFICE OF SOLICITOR

For personal services in the District of Columbia in accordance with the classification act of 1923, $120,000.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumer the chair, Mr. MICHENER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, had come to no resolution thereon.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. MICHENER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

The SPEAKER. The gentleman from Kentucky, Mr. KIRK, requests indefinite leave of absence on account of important legal business. Without objection, the same will be granted.

There was no objection.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.), the House adjourned until Monday, December 13, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings for Monday, December 13, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Independent offices, State, Justice, Commerce, and Labor Department and War Department appropriation bills.

COMMITTEE ON THE DISTRICT OF COLUMBIA

(7.30 p. m., Caucus room)

The subcommittee making a survey of the District government will hold a discussion on "District suffrage."

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To further protect interstate and foreign commerce against bribery and other corrupt trade practices (H. R. 4459).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Comparative survey of the navies.

COMMITTEE ON ROADS

(10.30 a. m.)

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented (H. R. 14254).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

766. A letter from the chairman of the Commission of Fine Arts, transmitting a report showing that the location for the police court building of the District of Columbia was fixed in Judiciary Square, at the southeast corner thereof, near the intersection of Fourth and E Streets NW.; to the Committee on the District of Columbia.

767. A letter from the Comptroller General of the United States, transmitting a report of papers or documents now in the files of the General Accounting Office not needed for the transaction of public business and without permanent value or historic interest; to the Committee on Disposition of Useless Executive Papers.

768. A letter from the Comptroller General of the Currency, transmitting a report covering activities of the currency bureau for the year ended October 31, 1926; to the Committee on Banking and Currency.

769. A communication from the President of the United States, transmitting draft of proposed legislation to extend the availability of the unexpended balance of the appropriation of $50,000 for extraordinary repairs and refurnishings of the Executive Mansion (H. Doc. No. 579); to the Committee on Appropriations and ordered to be printed.

770. A communication from the President of the United States, transmitting an estimate for the fiscal year ending June 30, 1927, to remain available until June 30, 1928, for refunding internal revenue taxes illegally collected, $175,000,000 (H. Doc. No. 578); to the Committee on Appropriations and ordered to be printed.

771. A communication from the President of the United States, transmitting an estimate of appropriation for the Commission of Fine Arts for the fiscal year ending June 30, 1927, in the amount of $1,500 (H. Doc. No. 580); to the Committee on Appropriations and ordered to be printed.

772. A communication from the President of the United States, transmitting an estimate of appropriation for the Department of the Interior National Park Service for the fiscal year ending June 30, 1927, amounting to $235,000 (H. Doc. No. 576); to the Committee on Appropriations and ordered to be printed.

773. A communication from the President of the United States, transmitting an estimate for the Department of the Interior for the fiscal year ending June 30, 1927, to continue available until December 31, 1927, for expenses of a conference on education, rehabilitation, reclamation, and recreation to be held at Honolulu, Hawaii, April 11 to 16, 1927, $20,000 (H. Doc. No. 577); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 14351) granting an increase of pension to Mary A. Terry, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURPHY: A bill (H. R. 14920) to amend an act entitled "An act granting the consent of Congress to the Weirton Bridge & Development Co. for the construction of a bridge across the Ohio River near Steubenville, Ohio, approved May 7, 1926; to the Committee on Interstate and Foreign Commerce.

By Mr. BRAND of Georgia: A bill (H. R. 14921) to amend section 7 of the Federal reserve act, as amended, for the purpose of insuring depositors in member banks of the Federal reserve system against loss; to the Committee on Banking and Currency.

By Mr. CELLER: A bill (H. R. 14922) to provide a means of recognizing heroic conduct and devotion to duty of Matthew A. Hensen, one of the survivors of the polar expedition of Admiral Peary; to the Committee on Coinage, Weights, and Measures.

By Mr. FRENCH: A bill (H. R. 14923) authorizing dining hall and kitchen at the Lapwai Indian Sanatorium, Lapwai, Idaho; to the Committee on Indian Affairs.

By Mrs. KAHN: A bill (H. R. 14924) to provide retirement for licensed officers of the United States Army Transport Service; to the Committee on Military Affairs.

Also, a bill (H. R. 14925) authorizing the sale of the new subtreasury building and site in San Francisco, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. MILLS: A bill (H. R. 14926) to authorize Commander Robert E. Tod, United States Naval Reserve, to accept from the French Government the brevet and insignia of commandeur de la Legion d'Honneur; to the Committee on Naval Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 14927) to increase the efficiency of the Postal Service, and for other purposes; to the Committee on the Civil Service.

By Mr. SUTHERLAND: A bill (H. R. 14928) to fix salaries of judges of district courts and of United States marshals in the Territory of Alaska; to the Committee on the Judiciary.

By Mr. STEVENSON: A bill (H. R. 14929) to provide for repair and maintenance of post roads which are not main State highways; to the Committee on Roads.

By Mr. WOODYARD: A bill (H. R. 14930) granting the consent of Congress to the H. A. Carpenter Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the town of St. Marys, Pleasants County, W. Va., to a point opposite thereto in Washington County, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY: A bill (H. R. 14931) to amend section 2 of the pension act approved July 3, 1926, so as to increase the pension of certain soldiers, sailors, and marines of the Civil War and their widows; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 14932) to regulate the shipment of firearms; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKS: A bill (H. R. 14933) to forbid the transportation in interstate commerce of things manufactured or made by convicts; to the Committee on Labor.

By Mr. SUTHERLAND: Joint resolution (H. J. Res. 301) to authorize the judge of the first judicial division of the Territory of Alaska to purchase two automobiles for the use of the United States marshal's office of said division; to the Committee on the Judiciary.

By Mr. WARREN: Concurrent resolution (H. Con. Res. 42) to print 15,000 additional copies of Senate Document No. 234, Fifty-eighth Congress, second session, entitled, "Journal of the Congress of the Confederate States of America"; to the Committee on Printing.

By Mr. TINKHAM: Concurrent resolution (H. Con. Res. 43) requesting the President to propose the calling of a third Hague conference for the codification of international law; to the Committee on Foreign Affairs.

By Mr. BLACK of New York: Resolution (H. Res. 328) to recognize the Canton government as the government of the Chinese Republic; to the Committee on Foreign Affairs.

By Mr. LAGUARDIA: Resolution (H. Res. 329) requesting the Department of State for certain information; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 14934) granting a pension to George Henderson; to the Committee on Invalid Pensions.

By Mr. ACKERMAN: A bill (H. R. 14935) granting a pension to Laura E. Jennings; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 14936) granting a pension to William H. Blake; to the Committee on Pensions.

By Mr. BRITTEN: A bill (H. R. 14937) granting a pension to Emma W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14938) granting a pension to Emma A. Lamb; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 14939) to extend the provisions of the United States employees' compensation act of September 7, 1916, as amended, to Arthur Richter; to the Committee on Claims.

Also, a bill (H. R. 14940) for the relief of Carl Holm; to the Committee on Claims.

Also, a bill (H. R. 14941) for the relief of Lena Noonan; to the Committee on Claims.

Also, a bill (H. R. 14942) for the relief of Robert Bryan Somerville; to the Committee on Naval Affairs.

Also, a bill (H. R. 14943) for the relief of John James Kirwan Koughan; to the Committee on Naval Affairs.

Also, a bill (H. R. 14944) granting an increase of pension to Margaret Surratt; to the Committee on Pensions.

Also, a bill (H. R. 14945) granting an increase of pension to Margaret A. McNamara; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14946) granting an increase of pension to Sarah Kraft; to the Committee on Invalid Pensions.

By Mr. CORNING: A bill (H. R. 14947) granting an increase of pension to Mary Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14948) for the relief of Max Cole; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 14949) granting a pension to Eva B. Cozine; to the Committee on Invalid Pensions.

By Mr. DAVEY: A bill (H. R. 14950) granting a pension to Sarah J. Clark; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 14951) granting an increase of pension to Minerva Milligan; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 14952) granting an increase of pension to Jane Davis; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 14953) for the relief of the heirs of Sarah P. Nix; to the Committee on War Claims.

By Mr. ELLIS: A bill (H. R. 14954) granting an increase of pension to Lida J. Whipple; to the Committee on Invalid Pensions.

By Mr. FAUST: A bill (H. R. 14955) for the relief of William Earhart; to the Committee on Military Affairs.

Also, a bill (H. R. 14956) granting an increase of pension to Louisa Scull; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 14957) granting an increase of pension to Mary Jane Kenan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14958) granting an increase of pension to Annie M. Barnhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14959) granting an increase of pension to Manerva Hedges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14960) granting an increase of pension to Johanna E. Mouser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14961) granting an increase of pension to Alice J. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14962) granting an increase of pension to Sarah E. Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14963) granting an increase of pension to Ida V. Brecount; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 14964) granting a pension to Grace I. Scoville; to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 14965) granting a pension to Margaret J. Easterling; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 14966) granting a pension to Oscar Mitchell; to the Committee on Pensions.

By Mr. GASQUE: A bill (H. R. 14967) granting an increase of pension to Robert W. Fulton; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 14968) granting an increase of pension to Gertrude G. Hunt; to the Committee on Invalid Pensions.

By Mr. HALL of Indiana: A bill (H. R. 14969) granting a pension to Hazel M. Thompson; to the Committee on World War Veterans' Legislation.

By Mr. HILL of Alabama: A bill (H. R. 14970) granting a pension to Ella Combs; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 14971) granting an increase of pension to Margaret A. Chase; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 14972) granting an increase of pension to Elizabeth H. Brayton; to the Committee on Invalid Pensions.

By Mr. KIRK: A bill (H. R. 14973) granting a pension to Andrew J. Shepherd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14974) granting a pension to Elsie Ann Tyre; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 14975) granting an increase of pension to Martin A. Hellwig; to the Committee on Pensions.

Also, a bill (H. R. 14976) granting a pension to James P. Stucker; to the Committee on Pensions.

By Mr. McREYNOLDS: A bill (H. R. 14977) for the relief of William Taylor Coburn; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 14978) granting a pension to Sophie Witting Bridge; to the Committee on Pensions.

Also, a bill (H. R. 14979) granting a pension to Kittie Bridge Guynn; to the Committee on Pensions.

By Mr. MORROW: A bill (H. R. 14980) granting a pension to Spencer Phillip Hill; to the Committee on Pensions.

Also, a bill (H. R. 14981) for the relief of Frank L. Merrifield; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 14982) granting an increase of pension to Mary Britton; to the Committee on Invalid Pensions.

By Mrs. NORTON: A bill (H. R. 14983) for the relief of Evelyn O'Malley; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 14984) granting an increase of pension to Adeline McCorkle; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: A bill (H. R. 14985) granting an increase of pension to Mary A. Jones; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 14986) granting a pension to Mary A. Story; to the Committee on Invalid Pensions.

By Mr. SEARS of Nebraska: A bill (H. R. 14987) granting an increase of pension to Napoleon B. Washington; to the Committee on Pensions.

Also, a bill (H. R. 14988) for the relief of John Sturgeon; to the Committee on Military Affairs.

Also, a bill (H. R. 14989) for the relief of Frank Rizzuto; to the Committee on Claims.

By Mr. SMITHWICK: A bill (H. R. 14990) granting an increase of pension to Annie C. Brown; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14991) granting an increase of pension to Adeline Murkin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14992) granting a pension to Rose Emma Broderick; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 14993) granting an increase of pension to Martha E. Twaddle; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14994) for the relief of Martha Ellen Raper; to the Committee on Claims.

By Mr. THATCHER: A bill (H. R. 14995) granting an increase of pension to Kate R. Forrester; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 14996) granting an increase of pension to Elizabeth Mulford; to the Committee on Pensions.

By Mr. TYDINGS: A bill (H. R. 14997) for the relief of Edward A. Blair; to the Committee on Naval Affairs.

By Mr. UPDIKE: A bill (H. R. 14998) granting an increase of pension to Mary J. Hinman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14999) granting an increase of pension to Ida Blake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15000) granting an increase of pension to Ida Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15001) granting an increase of pension to Hettie A. Overmyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15002) granting a pension to Louisa English; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15003) granting a pension to Ada M. Wrighthouse; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 15004) granting an increase of pension to Mary C. F. Adams; to the Committee of Invalid Pensions.

By Mr. WYANT: A bill (H. R. 15005) granting an increase of pension to Clara Ziegler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15006) granting an increase of pension to Mary B. Moore; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 15007) granting a pension to John M. Golden; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4320. By Mr. BERGER: Petition of various citizens of the United States and of the State of New Jersey, to enact legislation to bring about national ownership and democratic management of all coal mines under conditions which will (1) protect the Nation from paying on the basis of swollen valuation, (2) recognize the interests of the workers organized in their own union, and (3) guarantee democratic administration in place of bureaucracy, and expert technical leadership in place of

partisan job holding; to the Committee on Interstate and Foreign Commerce.

4321. Also, memorial of Federated Trades Council of Milwaukee, Wis., requesting a congressional investigation of the activities of the Department of Justice in connection with trial and conviction of Nicola Sacco and Bartolomeo Vanzetti; to the Committee on the Judiciary.

4322. By Mr. GALLIVAN: Petition of C. P. Franciscus, president United National Association of Post Office Clerks, 620 Colorado Building, Washington, D. C., offering certain recommendations looking to the promotion of a better Postal Service and the betterment of those employed in such service; to the Committee on the Post Office and Post Roads.

4323. By Mr. HALL of Indiana: Petition of voters of Amboy, State of Indiana, urging that steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune, to relieve needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4324. By Mr. KINDRED: Petition of the American Drug Manufacturers, that the Congress of the United States be urged to reduce at the forthcoming session the increased burden of taxation placed upon corporations by the revenue act of 1926; to the Committee on Ways and Means.

4325. By Mr. O'CONNELL of New York: Petition of National Foreign Trade Council of New York, favoring the passage of House bill 8997, to provide for a permanent parcels post with Cuba; to the Committee on Ways and Means.

4326. By Mr. SEGER: Petition of 53 employees of the George Hardy Payne Studios, of Paterson, N. J., for protection to their industry by the enactment of an adequate tariff; to the Committee on Ways and Means.

4327. By Mr. SINCLAIR: Petition of 43 residents of Williams County, N. Dak., protesting against the enactment of compulsory Sunday-observance legislation; to the Committee on the District of Columbia.

SENATE

MONDAY, *December 13, 1926*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, as we begin the duties of another week we invoke Thy help. Without Thee we can do nothing that is absolutely certain, and we find ourselves frequently debating the whys and wherefores of life. Help us with Thy wisdom. Guide our paths and glorify Thyself in and through us. For Jesus Christ's sake. Amen.

IRVINE L. LENROOT, a Senator from the State of Wisconsin, ROBERT N. STANFIELD, a Senator from the State of Oregon, and FRANCIS E. WARREN, a Senator from the State of Wyoming, appeared in their seats to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Friday last when, on request of Mr. Curtis and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on December 13, 1926, the President approved and signed the act (S. 2858) to fix the salaries of certain judges of the United States.

SENATOR FROM NEW HAMPSHIRE

The VICE PRESIDENT laid before the Senate the certificate of election of GEORGE H. MOSES, of New Hampshire, which was read and ordered to be placed on file, as follows:

STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

This is to certify that on the 2d day of November, 1926, GEORGE H. MOSES was duly chosen by the qualified electors of the State of New Hampshire to represent said State in the United States Senate for the term of six years from the 4th day of March next.

Witness: His excellency our governor John G. Winant and our seal hereto affixed at Concord, this 11th day of November, in the year of our Lord 1926.

JOHN G. WINANT, *Governor.*

By the governor, with the advice of the council.

[SEAL.] HOBART PILLSBURY, *Secretary of State.*

CLAIMS AGAINST THE GERMAN GOVERNMENT (S. DOC. NO. 173)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

I transmit herewith a report of the Secretary of State, in response to Senate Resolution 198 of April 5 (calendar day, April 14), 1926, requesting him to "transmit to the Senate, if not incompatible with the public interest, copies of all correspondence, notes, exchanges, and communications which have passed directly or indirectly between the Secretary of State and the Government of Germany respecting the settlement and payment of claims against the German Government for indemnification on account of destruction of life and property of American nationals subsequent to August 1, 1914, including the instructions given to Ambassador Kellogg, who represented the Department of State at the Paris finance conference, and also advise the Senate as to whether the State Department at the Paris conference, or otherwise, agreed that the United States should assume the burden of the payment of awards made in favor of American nationals against Germany, and accept from Germany in subrogation of the rights of its own nationals, annual installments of $11,000,000 for the payment of private American awards, and annual installments of $12,000,000 in reimbursement of the costs of the American Army of occupation of the Coblenz area on the Rhine, and in payment of other Government claims, as representing the entire obligation of the German Government to the Government of the United States in the premises and, if the Secretary made such an agreement, to advise the Senate of the considerations which induced him to make the same."

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, December 13, 1926.

Mr. KING. Mr. President, I presume the usual course will be taken with respect to this message and the accompanying documents that has been taken with respect to other messages, and that the same will be printed.

Mr. BORAH. I did not understand the request of the Senator.

Mr. KING. I merely asked that the usual proceedings be had with respect to printing this message and accompanying documents.

The VICE PRESIDENT. The message will be referred to the Committee on Foreign Relations.

Mr. BORAH. I was about to ask that it be referred to that committee. I do not believe there will be any objection to having it printed, but I would like to investigate it.

Mr. UNDERWOOD. It is a very important document, and if it goes to the Committee on Foreign Relations, of which I am a member, I would like to have a chance to read it.

Mr. OVERMAN. Was the order made for the printing of the message and accompanying documents?

The VICE PRESIDENT. The order to print will be made.

MODIFICATION OF THE PROHIBITION LAW—NEW YORK STATE

The VICE PRESIDENT laid before the Senate a communication from the secretary of state of the State of New York, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,
SECRETARY OF STATE'S OFFICE,
Albany, December 9, 1926.

Hon. EDWIN POPE THAYER,
Secretary of the Senate, Washington, D. C.

DEAR SIR: In compliance with chapter 850, Laws of 1926, we are inclosing herewith a certificate showing the result of question No. 1, in relation to ascertaining the opinion of the people of the State on the prohibition amendment.

An acknowledgment will be appreciated.

Very truly yours,

FLORENCE E. S. KNAPP,
Secretary of State.

STATE OF NEW YORK,
OFFICE OF THE SECRETARY OF STATE, ALBANY.

I, Florence E. S. Knapp, secretary of state, do hereby certify that a meeting of the State board of canvassers was held in the office of the secretary of state on December 6, 1926.

After canvassing the votes on question No. 1, "Should the Congress of the United States modify the Federal act to enforce the eighteenth amendment so that the same shall not prohibit the manufacture, sale, transportation, importation, or exportation of beverages which are not in fact intoxicating as determined in accordance with the laws of the respective States?" said board determined that question No. 1 was duly adopted by the voters of this State at the general election held November 2, 1926, by the following vote:

Yes, 1,763,070; no, 598,484; blank, 540,611; void, 5,625; whole number, 2,907,790.