

Mr. REED of Pennsylvania. May we consider my motion pending when we meet to-morrow?

Mr. LA FOLLETTE. If the Senator from Pennsylvania does not desire to withdraw his motion, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Kansas has moved to proceed to the consideration of executive business, and the question is on agreeing to that motion.

#### EXECUTIVE SESSION

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Tuesday, February 7, 1928, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate February 6, 1928*

##### MEMBER UNITED STATES CUSTOMS COURT

William J. Tilson, of Georgia, to be a member of the United States Customs Court, vice William B. Howell, deceased.

##### APPOINTMENTS AND PROMOTIONS IN THE NAVY

Lieut. Hugh St. Clare Sease to be a lieutenant commander in the Navy, from the 1st day of November, 1927.

Lieut. (Junior Grade) Charles P. Woodson to be a lieutenant in the Navy from the 2d day of June, 1927.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1927:

Thomas U. Sisson. Homer B. Wheeler.

Walter W. Siegrist. Walter D. Leach, jr.

William E. Verge. Joseph F. Dahlgren.

Passed Assist. Surg. Norman J. Haverly to be a surgeon in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1926.

Assist. Surg. Clifton A. Young to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 2d day of June, 1927.

Assist. Surg. Walter G. Kilbury to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 1st day of July, 1927.

Walter P. Caruthers, a citizen of California, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 26th day of January, 1928.

Boatswain Harold L. Arnold to be a chief boatswain in the Navy, to rank with but after ensign, from the 5th day of August, 1927.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate February 6, 1928*

##### REGISTER OF LAND OFFICE

Guy Francis Barnes to be register of the land office at Pierre, S. Dak.

##### PROMOTIONS IN THE ARMY

###### To be colonel

Stephen Ogden Fuqua.

###### To be lieutenant colonel

Charles Russell Alley.

###### To be major

William Francis Freehoff.

###### To be captains

Richard Brownley Gayle.

Jesse Benjamin Smith.

###### To be first lieutenants

George Francis Heaney, jr.

John Humphrey Evans.

##### APPOINTMENT BY TRANSFER IN THE ARMY

Harry Russell Evans, to be captain, Field Artillery.

##### PROMOTIONS IN THE ARMY

Stanley William Matthews to be captain, Medical Corps.

William Harvey Kernan to be captain, Medical Administrative Corps.

Martin Douglas Mims to be captain, Medical Administrative Corps.

##### PROMOTION BY TRANSFER IN THE ARMY

Edward Clarence Gere to be captain, Quartermaster Corps.

##### APPOINTMENT BY PROMOTION IN THE ARMY

###### To be colonel

Daniel Van Voorhis.

##### To be lieutenant colonels

James Garfield McIlroy.  
Vaughn Washington Cooper.  
Chauncey Lee Fenton.

##### To be majors

Rexford Edwin Willoughby.  
William Glenn Livesay.  
James Washington Barnett.  
John Charles Mullenix.

##### To be captains

Robert Tappan Chaplin.  
Raymond Edwin Vermette.  
Abraham Robert Ginsburgh.  
Elijah Garrett Arnold.  
Benjamin Witwer Pelton.  
Farlow Burt.

##### To be first lieutenants

William Remsburg Grove, jr.  
George Lewis Dewey.  
James Frederick Torrence, jr.  
Douglass Gordon Pamplin.  
Dan Chandler.  
Charles White Lawrence.  
George Edward Waldo.  
Harold Willis Kohl to be captain, Medical Corps.  
Benjamin Ralph Luscomb to be captain, Medical Administrative Corps.

##### POSTMASTERS

###### KENTUCKY

Achsa Kinnett, Augusta.  
Ransome B. Martin, Hartford.  
Edward F. Davis, Williamsburg.

###### MISSOURI

Beryl S. Littrell, Mendon.  
William H. Tanner, Sikeston.

###### NEW JERSEY

Ralph H. Hulick, Browns Mills.  
Waldo E. Rice, Ocean Grove.  
Herman H. Ahlers, West New York.

###### NORTH CAROLINA

Andrew T. Barkley, North Charlotte.

###### OHIO

Howard M. Snedeker, Bellaire.  
Lillian Mumca, Independence.  
James A. Downs, Scio.

###### OKLAHOMA

Hugh M. Tilton, Anadarko.  
Thomas G. Rawdon, Paden.  
William E. Watson, Quinton.

###### PENNSYLVANIA

Will O. Depp, Big Run.  
John B. Chase, Greenville.  
Benjamin F. Jenkins, Jeannette.  
Clinton B. White, New Wilmington.  
William A. Bailey, Southwest.  
John G. McCune, West Newton.

## HOUSE OF REPRESENTATIVES

MONDAY, February 6, 1928

The House met at 12 o'clock noon.

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

Our most gracious Father in Heaven, in whom we have our being, do Thou inspire all that is best and noblest in us. With wise determination help us to measure up to the lofty principles and ideals of Thy teaching. Take us this day into Thy divine favor, that this representative body of a great people may have big vision and the finest sense of justice. Every endeavor that is destined to succeed is founded on the broad principles of the fatherhood of God and the brotherhood of man. We are here again to work, to touch common toil and to dignify it, to sanctify the homely things of life. Establish Thou the work of our hands. Light up the altar stairs of our souls and give us the blessing of the white hope. Amen.

The Journal of the proceedings of Friday, February 3, 1928, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments the bill H. R. 9481, entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1929, and for other purposes," in which the concurrence of the House of Representatives was requested.

## BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that on February 4, 1928, they presented to the President of the United States for his approval bills and a joint resolution of the House of the following titles:

H. R. 5657. An act granting the consent of Congress to the board of supervisors of Monroe County, Miss., to construct, maintain, and operate a bridge across Tombigbee River at or near Aberdeen, Monroe County, Miss.;

H. R. 9142. An act to amend section 71 of the Judicial Code, as amended, by changing time of holding court at El Dorado and Harrison, Ark.; and

H. J. Res. 93. Joint resolution for the appointment of Paul E. Divine, of Tennessee, as member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

## ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, announced that they had examined and found truly enrolled a joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 112. An act to amend the act of May 29, 1884, as amended, the act of February 2, 1903, and the act of March 3, 1905, as amended, to include poultry within their provisions.

## INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speakers' table the bill (H. R. 9481) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, and for other purposes, and disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table House bill 9481, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Messrs. Wood, Wason, and Cullen.

## BRIDGE LEGISLATION

Mr. GARRETT of Tennessee. Mr. Speaker, to-day is unanimous-consent day and there are a number of bridge bills on the calendar. The gentleman from Missouri [Mr. COCHRAN] has some remarks which will apply to practically all of these bills, I think, and I believe it would be in the interest of the expedition of the public business if the gentleman be permitted to address the House at this time, and I ask unanimous consent that the gentleman from Missouri may proceed for 15 minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Missouri may proceed for 15 minutes. Is there objection?

Mr. TILSON. Mr. Speaker, I shall not object, but I should like to request that the gentleman from Illinois [Mr. DENISON], the member of the Committee on Interstate and Foreign Commerce, who has charge of bridge bills, may have 15 minutes in which to explain the same subject on which the gentleman from Missouri is to speak.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that following the address of the gentleman from Missouri the gentleman from Illinois [Mr. DENISON] may be permitted to proceed for 15 minutes on the same subject. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, ladies and gentlemen of the House, I request that I be not interrupted until I have completed my statement, as I shall decline to yield.

Mr. Speaker, at the outset I desire to make it plain to the membership of the House as well as all others interested that I am one who looks upon every man as being honest until proven otherwise. The mere wagging of tongues is not sufficient to make me condemn a man.

On Friday, before the House adjourned, I called the attention of Members present to editorials published in the St. Louis Post-Dispatch and St. Louis Star under date of January 28. One editorial conveyed information that holding companies for public utilities were not under the control of either the Missouri Public Utilities Commission or the department administer-

ing our blue sky law. I also stated at the time that unless I was convinced by to-day that the people of my city were protected from the sale of securities issued in connection with projects to build toll bridges I would object to a unanimous consent for consideration of bridge bills where the right to construct, and so forth, is vested in an individual or corporation.

Only last summer several constituents of mine came to my office and asked my advice in reference to some bonds they had purchased of a corporation in an Ohio city. This corporation announced its intentions of constructing apartment houses, and the bonds were to pay 7 or 8 per cent interest. The corporation had been put in the hands of a receiver, and the court had issued an order that all bondholders turn over to the receiver within a certain time their bonds and stock to a new holding company, which would issue bonds in lieu thereof. I communicated with the county clerk, secured a copy of the order and other information, and I am convinced, as the assets of the company are vacant lots, \$35,000 was lost by my constituents.

The people of St. Louis to-day buy bonds for projects, including bridges, all over the United States. I am interested in the purchasers of such securities, especially in bridge bonds. The gentleman from Illinois [Mr. DENISON] discussed this matter with me Saturday, going over the blue sky law of my State, and he was of the opinion that the people of my State were protected under this law. He also explained to me when a public utility is not a public utility, and that is when it is a toll bridge, unless by an act of the legislature it is specifically declared to be a public utility. He had about convinced me that if our State officials administered the law the people of Missouri could not suffer from inflation. I sent several telegrams to Missouri, and just before coming to the House received a message which convinces me that the issue of bonds and other securities in connection with bridge projects in my State are not all under the supervision of the officials administering the blue sky law. The gentleman who furnishes me with this information is a man of the highest character, and I will read what he says. He is referring to a bridge project in Missouri.

I might say I know personally the gentleman who received the consent of Congress to construct this bridge. They are all men of the highest character and they are not promoters. They are engineers and contractors and have been in business for many, many years.

The bond issue was not subject to approval of any State but was sold through Byllesby Co., of Chicago, who passed on costs and other matters through their engineers. Byllesby listed bonds on Chicago Stock Exchange, which also had its requirements before listing is permitted. I believe most State blue sky laws do not require direct application where stock or bond issue is listed on licensed exchange. Understand Byllesby recently announced they would not handle any more bridge issues, and I am requesting a friend to have them communicate with you. The opinion here is that you have touched on a very big question, and you are right in saying there are possibilities of serious losses. The only protection now seems to be the responsibility of the investment house putting out the issue.

Mr. Speaker, I do not want to object to legislation in which so many Members are interested, but I am not convinced that the people of the country have sufficient protection, and therefore I will offer an amendment along the line I suggested in my speech of Friday.

The amendment I suggested is as follows:

At the close of section 7 insert the following: "Provided, That bonds or other securities issued against, or based on, the construction and revenues of said bridge and approaches shall not exceed the actual cost of such construction and operation, economically made, plus a maximum of 10 per cent thereto; and it shall be the duty of the Secretary of War, prior to the issue of any such bonds or other securities, to determine the total thereof which may thus be issued."

Mr. Speaker, I am not in favor of leaving this question entirely to the States. If the Congress has the right, which it unquestionably has, to grant consent for the construction of a bridge, it likewise has the right not only to limit the cost of such structure but also to limit the amount of securities that might be issued. The bridge can not be constructed until the Secretary of War approves the plans and specifications.

The bills now provide that sworn statements in reference to cost of construction, and so forth, shall be filed with the Secretary of War within 90 days after completion, and that the Secretary of War, if requested within a given period, shall determine the actual cost thereof and that the findings of the Secretary shall be conclusive for the purposes mentioned in section 4, which refers to the purchase of the bridge. The section protects the city, county, or State which might desire to acquire



the property, but where does the purchaser of the securities come in? If bonds or other securities in excess of that amount have been issued, the public—your constituents and mine, the purchasers of these securities—is the loser, as is generally the case.

My amendment will not only further protect the cities, counties, and States but it will also protect the general public from inflation. If the bridge does not result in a paying proposition, that is entirely another matter. It is up to the public before purchasing securities to investigate, and if the people put their money in a nonpaying proposition, we can not be blamed.

We have a responsibility as well as the State officials, because it is the Congress that makes the project possible.

Bonds and other securities for the building of bridges can unquestionably be placed under control of the Government, and such action would be a check on the officials of the various States who administer the blue sky laws.

I simply ask that the Congress grant all the protection it possibly can to the purchaser of the securities issued in connection with a project it sanctions.

Surely, no honest promoter should object to a 10 per cent profit over the actual investment. If he does, he is not entitled to the consent of Congress to construct a bridge.

Your constituents and mine have the right to hold us responsible in the event such securities as I have mentioned are found to be inflated.

In conclusion I simply want to suggest that when the bridge bills are considered to-day they be separated. I will not offer my amendment where the right is vested in a city, county, or any agency of a State.

Mr. HASTINGS. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. HASTINGS. I understood the gentleman to give one illustration of a corporation that built apartment houses. Where bridges have been built can the gentleman give instances in which people have been imposed upon, as suggested in the gentleman's remarks?

Mr. COCHRAN of Missouri. I am not in the habit of repeating any hearsay information I receive. I have no direct knowledge that I would be warranted in calling to the gentleman's attention. Before I would call a matter of that kind to the gentleman's attention I would want positive knowledge.

Mr. HASTINGS. I do not ask the gentleman to give the names of the particular bridges, but I thought the gentleman would have some information where this legislation had been greatly abused in a great number of cases and, therefore, the necessity of some sort of an amendment as suggested by the gentleman.

Mr. COCHRAN of Missouri. I admit I have information, but I will not repeat it on the floor, because I do not want to cast any reflection on any gentlemen, where I am not absolutely positive abuses have occurred.

Mr. HASTINGS. Is the gentleman willing to state that this kind of legislation has resulted in a great many abuses or is it confined to one or two particular cases?

Mr. COCHRAN of Missouri. The possibility of abuses is apparent.

Mr. HASTINGS. I am not talking about the possibilities.

Mr. COCHRAN of Missouri. And that is what I am trying to guard against. I want to close the doors of the stable before the horse is gone.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. VINSON of Kentucky. Does the amendment which the gentleman has suggested include bridges that are wholly within a State?

Mr. COCHRAN of Missouri. It includes any bridge, whether it be within a State or whether it connects two States, if the consent of Congress is given to an individual or a corporation other than a railroad, because I understand a railroad bridge is under the control of the Interstate Commerce Commission, and I am satisfied with that.

Mr. DENISON. Mr. Speaker, I think I can make a short statement that will clear up the question raised by the gentleman from Missouri [Mr. COCHRAN]. The gentleman from Missouri is entirely mistaken in his attitude, and while I recognize, of course, the perfect right of every Member of the House to raise an objection to any bill on the Consent Calendar, and never criticize anybody for doing so if he has a good reason for it, yet I hope my friend from Missouri will not persist in his attitude. These bridge bills are of great importance to the communities in which they are to be built, and to the Members of Congress who introduce them, and unless a Member has a valid and a forceful reason I do not think he ought to insist upon an objection to their consideration.

Let me state briefly what we do in connection with these bills. I am speaking now of bills authorizing private companies or individuals to build bridges over navigable waters. In the first place, we see to it in the forms we have prepared that the interests of the Government are protected, so far as navigation is concerned. Then we have also provided for the protection of the public that use the bridge by providing the right of recapture in case the public wants to take the bridge over for the purpose of operating it as a free bridge.

We provide that the builder has to make a sworn itemized statement of the costs, after he has completed the bridge, and file it with the Secretary of War and with the highway department of the State in which the bridge is located. Then we authorize the Secretary of War to make an investigation of that statement and of the costs of the bridge, if he wishes to do so; and we provide that he shall do so if the highway department of the State in which it is located asks him to do so. He is authorized to make this investigation of the cost and to find the actual cost of the bridge.

Not only this, but we authorize the Secretary of War to find what is the reasonable cost or the value of the bridge, and without regard to what the parties spend; it is the reasonable value of the bridge that determines its value for recapture purposes. So that there is no possibility of any person who may be disposed to be dishonest and improperly pad their statement of costs to do so, because it is all subject to investigation; and however they might pad the statement we authorize the fixing of a reasonable value and we authorize the State to take over the bridge upon that basis at any time in accordance with the terms specified in the law.

My friend the gentleman from Missouri [Mr. COCHRAN], because some of his friends have lost money in buying bonds on some apartment house in some part of the country, now proposes to offer an amendment to these bridge bills. For what purpose? To protect the persons who may buy stocks or bonds in a bridge from dishonest transactions. In other words, he wants us to modify these bridge bills so as to make each one of them a blue sky bill at the same time.

Gentlemen, we can not do this. In the first place, the regulation of these matters within the States is a matter for the States themselves and every State of the Union, except two, has enacted what is called a blue sky law or a fraudulent securities law. The State of Missouri has one of the very best laws of this kind. The State of Illinois has a good one, as well as Kentucky, Arkansas, Pennsylvania, and other States. They have enacted blue sky laws, or fraudulent securities laws to protect their people against the sale of fraudulent stocks and securities.

The State of Missouri has a blue sky law which provides in section 3, which I want to quote, as follows:

No person, either acting personally or through an agent, or as the agent of another, shall, on or after the date when this act goes into effect, sell any security to any person in the State of Missouri contrary to the provisions of this act.

Now, section 7 of the act provides:

No security not exempted under any of the provisions of section 4, unless sold in any transaction exempt under the provisions of section 5, shall be sold to any person within the State of Missouri unless and until the issue of securities, of which such security to be so sold is a part, shall have been recorded in the register of qualified securities, as hereinafter provided.

So that any person offering any kind of security, that is not exempt under the law, for sale in the State of Missouri must go to the State officials and have it registered, submit to an examination, have an inquiry made as to its good faith and as to the amount of money that has been put into it, and have it thoroughly and carefully qualified before it can be sold, and if they sell it without doing this they are liable to be sent to the penitentiary.

Bridge bonds or bridge stock is not exempted under the laws of the State of Missouri. The bonds or securities of public utilities are exempted under the law of the State of Missouri just as they are in most other States that have blue sky laws. Why? Because if it is a public utility it is regulated by the public utility commission of the State; that commission regulates the issuance of such securities and therefore, in order to avoid duplication of services, the blue sky law exempts the securities of public utilities. But if it is not a public utility, and therefore not regulated by the public utility commission of the State, it is subject to the blue sky law of the State and the people are protected. So that the constituents of my friend from Missouri are fully protected against any fraudulent sale of stock or bonds in Missouri on bridges built in that State.

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

Mr. DENISON. Yes.

Mr. BANKHEAD. I assume from the gentleman's argument that a bridge is not classed as a public utility?

Mr. DENISON. It is not. It is in some States; for instance, in Pennsylvania, but in that State where it is so classified it is regulated as a public utility, just like a telephone company, gas company, or an intrastate railroad, and its securities are subject to regulation by that commission.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. COCHRAN of Missouri. In reference to the statement made just a moment ago with regard to public utilities, that is exactly what caused me to investigate this matter. The editorial to which I have referred stated that the officials of the Public Utilities Commission of Missouri and the officials who administer the blue sky law had said that they have no control over a holding company for a public utility.

Now, would the holding company be the company that would handle the bonds? Further, I will say to the gentleman the information I read to the House concerning the issue of bonds in connection with a project comes directly from one of the men to whom you granted the consent of Congress to build the bridge. That proves to me beyond a doubt that the State of Missouri, if it has the power, is not doing what it should do in reference to the bonds.

Mr. DENISON. I think I know what the gentleman means. I do not know anything about the particular case, but I understand what he is trying to get at. While I stated that practically every State has a good blue sky law sufficient to protect its own people from the sale of fraudulent securities, the Federal Government has never yet enacted a national blue sky law. Therefore there is no law to prevent the sending through the mails from one State to another of fraudulent securities for sale. That is one instance where we can not have exact justice, because there is no Federal securities law. I have had a bill pending in Congress for five years to provide such a law. It passed the House once, but did not get through the Senate.

I have studied that matter as much, I think, as any man in the House, and I have never heard that any money has been lost through the sale of fraudulent stocks or bonds for building bridges. There have been losses through the sale of fraudulent oil stocks, through the sale of fraudulent mining stock, through the sale of fraudulent stocks of other kinds, but I have never heard of any loss through the sale of bridge bonds. Why my friend picks out this more or less innocent form of investment and omits from his consideration other stocks and bonds I do not know.

At any rate, we can not make blue sky bills out of bridge bills. We have gone as far as we can go in a practical manner. Not only that, but neither the Chief of Engineers or the Secretary of War have any facilities for the examination of stocks and bonds issued for building bridges all over the United States. If we should confer that authority on the Secretary of War, we would have to increase his clerical and official force several hundred, and we would have to grant jurisdiction to the War Department over such securities, which his department has no business with. Until we can get to the point where Congress is willing to pass a national blue sky law we will have to depend on the States to protect the people from fraudulent bridge bonds, if any such should ever be offered for sale.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. DENISON. I will.

Mr. COCHRAN of Missouri. I concede everything the gentleman has said in reference to the manner in which the committee protects the cities, counties, and States, but I think the gentleman is inconsistent. He says that if we confer this authority on the Secretary of War, he has no method of examining stocks and bonds. I am not asking that. You tell the Secretary of War that he must, after the completion of the bridge, if the request is made, put a reasonable value on the project. If you are going to compel the Secretary of War to do that after the bridge is completed, would it not be just as easy to compel the Secretary of War to do it before the drafting of the plans and specifications?

Mr. DENISON. He has no facilities for exercising that power; he has no such jurisdiction. He says that it is a matter about which they have no information; that they have no facilities for examining stocks and bonds with a view to protecting the public. That is a matter that the States must attend to.

Mr. LOZIER. Will the gentleman yield?

Mr. DENISON. I will.

Mr. LOZIER. Is it not true that under the stereotyped form of bridge bills the interest of the investing public is pro-

tested when the Secretary of War makes an affirmative finding as to the cost of the structure? When the bond issue is floated has not the investor an opportunity of ascertaining from the War Department the cost of the bridge—not only the actual cost as reported by the projectors of the bridge, but the making of the affirmative finding of the costs? Has not the investor access to that information?

Mr. DENISON. We have gone as far as we can practically go in protecting the public, and the bridge bill forms as now used will protect the public.

Mr. COCHRAN of Missouri. I will ask the gentleman what good would it be to the investor to find out after the bridge is completed the bond issue has been inflated? Here is a bridge that cost a million dollars, and securities are issued for a million and a half. After the bridge is built they call on the Secretary of War to determine the value, and the Secretary determines that \$1,000,000 is a fair value for the bridge. Securities are issued for a million and a half—who is going to pay the inflated half million dollars?

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

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for three minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, I want to point out, if I can, the unfortunate situation in which my friend from Missouri [Mr. COCHRAN] is involved. He has picked out one form of investment, and he asks Congress in these bridge bills to protect the public, and let all other forms of investment go. I have not heard him undertaking to protect the public against other forms of investment, and there are thousands of different forms of investment. He comes here and wants to stop the progress of bridge building, as far as he can do it, because he fancies that possibly somewhere somebody may lose some money in investing in bridge securities. It seems to me that his position is entirely untenable, and I hope the gentleman will not place himself in that attitude.

If my friend from Missouri will join with me and help me get a Federal blue sky bill through Congress that will prevent the sale, through the avenues of interstate commerce, of any fraudulent securities, he will render the public a valuable service, not only in his State and in his city, but in the entire Nation.

Mr. COCHRAN of Missouri. If the gentleman will read my speech of last Friday, he will see that I did say that I would join him in such an effort.

Mr. DENISON. Until we do that, I think the gentleman is making a mistake in standing in the way of progress and preventing or delaying the construction of bridges.

Mr. VINSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. VINSON of Kentucky. I suggest to the gentleman that the recapture clause in these bills will not only minimize but probably eliminate the issue of a large amount of watered stock, because under the recapture clause when a State or a county or a municipality takes over the bridge, an investor is not going to put his money into a bridge in which the aggregate amount of security is largely in excess of the actual cost of construction.

Mr. DENISON. Certainly not, if he is intelligent; and we must assume that the average man has average intelligence, and he is not going to put his money into that kind of investment if the bridge is built under the terms we now require.

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

Mr. DENISON. Yes.

Mr. COMBS. I believe that the assumption of my colleague from Missouri [Mr. COCHRAN] is that the blue-sky commissions have no jurisdiction over a holding company.

Mr. DENISON. In that, of course, he is wrong.

Mr. COMBS. It may be that they have no jurisdiction over the activities of holding companies in other States; but if those securities are offered for sale in other States, they must comply with the requirements of the finance commission in order to qualify for sale in those States, and likewise, a holding company organized in another State, offering these securities in the State of Missouri, must get the securities qualified under our laws before they are exempt from the operation of this particular act.

Mr. DENISON. That is true.

Mr. COMBS. In other words, we are protected.

Mr. DENISON. You are fully protected. The statement that stocks or securities of holding companies are exempted is entirely misleading. They are not exempted unless the securities they hold, and against which they are issuing their bonds,



are either exempted under the law or are qualified under the law.

Let me make this final statement. I have made a study of the blue sky laws of every State, and every State has such a law except the States of Delaware and Nevada, I believe. These laws go a long way toward protecting the citizens against the sale of fraudulent securities. I am one of those who believe that we ought to leave such matters to the States to protect their own citizens. If they do not protect their own citizens, that is their fault and it is not the fault of the Federal Government. I do think that we ought to go as far as we can and help the States enforce their laws; but when we undertake to pass an interstate fraudulent security law we ought to apply it to all kinds of securities. We can not do any good by attaching an amendment to a bridge bill.

Mr. MOORE of Virginia. Does not the gentleman think, if we are going to adopt a policy of that sort, that we ought to include all sorts of securities, including securities based on foreign loans as well as securities based on the present tremendously desirable work of constructing bridges in this country?

Mr. DENISON. Yes; the gentleman from Virginia is right about that.

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

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask the particular attention of my friend from Missouri [Mr. COCHRAN] to a suggestion that I wish to offer. Some of these bridge bills are in the nature of emergency measures and should be passed at once if at all. The gentleman from Missouri has his idea upon this subject, and he is to be commended for his desire to protect the public interest. I do not agree with him that the serious situation is presented as regards bridge bonds that he thinks is presented; but, however that may be, I am wondering if the gentleman will not, when we reach these bills, be willing to let them be considered and offer his amendment and let the House pass upon that amendment. It seems to me that the gentleman might very well consider doing that.

Mr. COCHRAN of Missouri. Mr. Speaker, I would be perfectly willing to offer my amendment, and I suggest to the gentleman from Illinois [Mr. DENISON] that he call up one of the bills, and if that is voted down in the House, I shall then offer a motion to recommit and endeavor to get a vote of the House upon the question. With that I shall be satisfied. I am still convinced that the gentleman from Illinois [Mr. DENISON] has not covered my point, and that is that you provide protection for the city, county, and State after the bridge is built when it comes to the question of purchase, but you provide no protection for the man who makes it possible to build that bridge by buying the bonds of the promoters. I am perfectly willing to offer the amendment, but I will insist on a record vote and I will be entitled to that unless a quorum is present.

Mr. GARRETT of Tennessee. If the gentleman will permit, I suggest that he can do it on the first bill. If the gentleman will permit it to be considered in the regular way, of course he will have an opportunity to offer a motion to recommit.

The SPEAKER. The Clerk will call the Consent Calendar.

#### TRANSFER OF THE OKANOGAN PROJECT, WASHINGTON

The first business on the Consent Calendar was the bill (S. 1661) to authorize the Secretary of the Interior to transfer the Okanogan project, in the State of Washington, to the Okanogan irrigation district upon payment of charges stated.

The title of the bill was read.

The SPEAKER. This bill requires three objections.

Mr. CRAMTON. I object.

Mr. BLANTON. I object.

Mr. LAGUARDIA. I object.

The SPEAKER. Three objections. The Clerk will call the next bill.

#### ABANDONED MILITARY RESERVATIONS IN ALASKA

The next business on the Consent Calendar was the bill (H. R. 9031) to provide further for the disposal of abandoned military reservations in the Territory of Alaska, including Signal Corps stations and rights of way.

The title of the bill was read.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. LAGUARDIA. I object.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Oregon asks unanimous consent that this bill be passed over without prejudice.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object—and I shall not object in this particular case—but I want to refer to the situation in regard to these cases which are passed over without prejudice. The first bill presented a question relating to that matter. It seems to me that passing over a bill without prejudice can only be done and should only be done in a case like the one pending, where the request is made before objection has been made to the consideration of the bill. After objection is made to the consideration of the bill it seems to me the rule operates to take the bill off the calendar.

Mr. LAGUARDIA. It is customary, when objection is made and a gentleman is asked to withdraw his objection, and he withdraws his objection, to pass over the bill without prejudice, but if that should occur after objection is made that will take place.

Mr. CHINDBLOM. If the objecting Member states that he does not object to the request, that it be passed over without prejudice it might be all right; but that can not be the case when the order is changed when the objecting Member is absent.

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

Mr. LAGUARDIA. I withdraw my objection.

The SPEAKER. The objection is withdrawn. The Clerk will call the next bill.

#### JURISDICTION OVER OIL AND GAS LEASES

The next business on the Consent Calendar was the bill (S. 1959) to transfer to the Secretary of the Navy jurisdiction over oil and gas leases issued by the Secretary of the Interior on lands in naval petroleum reserves.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Last week I objected to this bill on the ground that several Members were in doubt as to the purport of this bill. I think the purpose is this: To transfer the supervision of the oil and gas lands from the Interior Department to the Navy Department, and that leaves the matter in status quo.

Mr. BLANTON. Mr. Speaker, reserving the right to object, the gentleman from New York knows that with respect to a not very far away Secretary of the Navy the Senate of the United States found that he had been guilty of reprehensible conduct concerning naval oil leases and asked that the President dismiss him. The President did not dismiss him, but he resigned. I doubt the advisability of placing this responsibility there in the Navy Department.

Mr. LAGUARDIA. I have conferred with Senator WALSH in the other body, and he advised putting the responsibility there.

Mr. BLANTON. Well, the Senate, including Senator WALSH, condemned this former Secretary of the Navy for handling just such oil-lease business. I object, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will call the next bill.

#### HOSPITAL AT DAYTON SOLDIERS' HOME

The next business on the Consent Calendar was the bill (H. R. 132) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this is a bill that proposes an expenditure of a million and a half dollars, and there is no report presented to us from any agency of the Government having responsibility in connection with this proposed expenditure. There is nothing here showing that it has ever been brought to the attention of the Budget, or whether or not it is in harmony with the President's financial program. Of course, a hospital is for a purpose that causes us all to sympathize with the expenditure. If the hospital is needed to the extent that the committee report suggests, there should be no difficulty in finding some branch of the Government that would certify to that effect, and I have no reason to believe that there would be difficulty in getting the President, through the Budget Office, to approve of such expenditures. But until that is done it would seem the bill might rest.

Mr. LAGUARDIA. Is not this recommended by the Board of Managers? I understand that hearings were held at that time.

Mr. CRAMTON. At any rate, we ought to have a statement from the board that is responsible for that work.

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

Mr. CRAMTON. Yes.

Mr. BLANTON. I understand the gentleman's position is that if such a hospital is needed he is perfectly willing to allow the million and a half dollars to be expended; but until it is properly demonstrated that such a hospital is needed, and the spending of the \$1,500,000 is properly safeguarded, he does not want this bill to come up and be passed in a quarter of a minute. That is the gentleman's position, is it not?

Mr. CRAMTON. The gentleman has stated it correctly.

Mr. BLANTON. That was my position exactly the other day, and yet many papers in the State of Texas reported that I was against a veterans' hospital, when such was not the case.

Mr. ROY G. FITZGERALD. Mr. Speaker, I have continually protested during the seven years that I have been a Member of Congress against the little attention that the Congress has paid to the needs of the National Home for Disabled Volunteer Soldiers.

These homes were put under the control of a board of managers, to be selected by the Congress, at a time when Congress was on the outs with the President of the United States and would not trust him. This is one of the few agencies of our administrative system that is not under the control of the President or some branch of our regular administrative system. Responsibilities were assumed by Congress, but Congress will pay little attention to matters connected with the soldiers' homes. I could not even get Congress to elect the successors of men on that board whose terms had expired for years. I could not get this House to authorize the publication of the reports of the Board of Managers of the Soldiers' Homes, and that has not been done until within the last year or two.

I want to say to this House that the Member from North Carolina and myself inspected this hospital several years ago. We found it to be a fire trap built in 1868, that several hundred helpless men were confined to beds in the hospital, and that 700 major operations were performed in that hospital in a year. Then we brought the inspectors of the fire department and the State inspectors there to find out what the real condition of that hospital was, and they found it a fire trap. That was the reason for the introduction of this bill at the request of the Board of Managers and undoubtedly with knowledge of the President and Director of the Budget.

Mr. CRAMTON. My colleague from Michigan [Mr. JAMES] has shown me letters which indicate the approval of this bill by the Board of Managers. The House was entitled to that information in the report so that we would all have that information. I am willing to accept the showing my colleague has made so far as that part is concerned, but I would like to ask the gentleman from Ohio as to whether he has ever brought this matter to the attention of the Budget Office to learn whether this is in harmony with the President's financial program.

Mr. ROY G. FITZGERALD. It does not make any difference to me whether or not the President or Budget Bureau wants to murder these men in these hospitals or not. I take it for granted it is, for it must be in harmony with any sound financial program. This House has passed this bill twice before.

Mr. CRAMTON. Nothing I have said justifies any outburst. No one assumes the President does want to murder anybody, because I am assuming that if this is needed the gentleman will have no trouble in getting his approval of it, but until that is done, I object.

Mr. JAMES. Will the gentleman yield?

Mr. CRAMTON. I yield to my colleague.

Mr. JAMES. My colleague asks why this letter was not included in the report. The reason for that was that the letter was not written at the time the report was made. During the Christmas vacation I went out and saw this hospital myself. I saw the conditions, and then I had the president of the board write me a letter, and I talked with the president of the board about it to-day.

Mr. CRAMTON. I accept that part of it entirely, and I assume the President and the Budget Office would be entirely agreeable to this if they ever had a chance to consider it. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice in order that it may be submitted to the Budget Office and come up at the next meeting.

Mr. BLANTON. Before the gentleman makes that request, I want to ask the gentleman from Michigan a question, if he will permit. Did not the Military Affairs Committee have its day on Calendar Wednesday?

Mr. JAMES. No.

Mr. BLANTON. Well, it has two days, has it not?

Mr. JAMES. In the future; yes.

Mr. BLANTON. It will have its two days now before very long. Why could it not take up this bill in an orderly manner—this million and a half dollar bill—on one of its two Calendar Wednesday days and pass it in about an hour?

Mr. JAMES. This bill passed the House at the last Congress by unanimous consent, but died in the Senate because of the filibuster.

Mr. BEGG. Mr. Speaker, I would like to reserve the right to object in order to make an observation with reference to this national military home. My colleague from Dayton has stated the conditions exactly. Because the institution is under congressional management instead of the executive, naturally they are not in a position to make recommendations. All of us who have visited that home and then visited the rest of the homes or hospitals can not come away without believing that certainly some improvement is needed at this particular home.

Mr. CRAMTON. Will the gentleman yield?

Mr. BEGG. In just one minute; and then I will be glad to yield. I regret very much that this can not be passed. There may never be a fire at this home, but if a fire should occur there every one of us would regret it to our last day. I would like to see it get through the House. It may be a little difficult to get it through the Senate; I do not know; but if we can get it through the House there is the chance that it would get through the Senate. What is being asked here is only in line with everything we have done for the soldiers.

Mr. CRAMTON. The gentleman knows if we are going to have a Budget system that amounts to anything, items of one million and a half dollars can not be rushed through here without the Budget having a chance to express itself with reference to them.

Mr. BEGG. I grant that, and I very seldom try to break down the Budget recommendations, although I have once or twice successfully; but no single individual office like the Budget Office can have first-hand information about every little detail there is in the country like a hospital, particularly when we have arrogated to ourselves the right to run such hospitals.

Mr. CRAMTON. I will say to the gentleman from Ohio I am not one to always follow absolutely the recommendations of the Budget, but I think it is necessary to give the Budget a chance to present to Congress its views, and in this case there has been no attempt, apparently, to get an expression from the Budget, an expression that the gentleman from Ohio [Mr. ROY G. FITZGERALD] could have gotten in two days' time if he asked for it, I assume.

Mr. BEGG. I can not speak for my colleague as to why he did or why he did not do anything of that kind. The only thing I can speak about from first-hand information is that having visited this hospital I know it is a fire trap and there will be a calamity if a fire occurs there. That is all I know. I know that to be true.

Mr. BLANTON. Will the gentleman from Ohio yield?

Mr. BEGG. Gladly.

Mr. BLANTON. There is no disposition that I have observed upon the part of any Member here on the floor to prevent a proper hospital from being built, but this bill comes from the Committee on Military Affairs.

Mr. BEGG. And they have O. K'd it.

Mr. BLANTON. That committee will have two days on the calendar and their time is coming pretty soon. That committee could pass this bill in an hour on one of those days.

Mr. BEGG. My answer to the gentleman is that the Military Affairs Committee has plenty to do on those two days and there is not anything inconsistent with the action of this House in the past in doing this by unanimous consent.

Mr. BLANTON. They have nothing more important or more urgent than the building of proper hospital facilities.

Mr. BEGG. They have plenty of other things just as important to consume the time they have here.

Mr. BULWINKLE. Will the gentleman from Ohio yield?

Mr. BEGG. Gladly.

Mr. BULWINKLE. Mr. Speaker, I want to say that some years ago the gentleman from Ohio [Mr. ROY G. FITZGERALD] and I visited this hospital. It is a burning shame and an everlasting disgrace that you would put veterans of the Civil War and veterans of the Spanish War in a building that you know is a fire trap. The building where they handle their surgical cases is a four-story building, and it should either be demolished and the hospital moved somewhere else or if you are going to keep it you should put a building there where these men will be safe. [Applause.]

Mr. BEGG. I thank the gentleman. That is what every man will say who goes there and sees this building.

Mr. RANKIN. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. RANKIN. I want to say to the gentleman from Ohio that this very proposition is up now in the pending hospital bill before the Veterans' Committee. There has been a move-



ment on foot to have the Veterans' Bureau take over these soldiers' homes. Up to the present time that provision has been kept out of the bill by the members on the committee from the Southern States, but the Director of the Veterans' Bureau submitted statistics a few days ago that showed that by 1939 the Civil War inmates of these homes will all have passed away and that sooner or later it will be necessary for the Veterans' Bureau to take the homes over. I have not discussed this matter privately with the chairman of the subcommittee before whom these hearings are being held, but my opinion is that a majority of the members of the Veterans' Committee, and especially of the majority party on the Veterans' Committee, are going to favor turning these homes over to the Veterans' Bureau.

Mr. BEGG. Will the gentleman permit an interruption right there?

Mr. RANKIN. Yes.

Mr. BEGG. Granted that is so, the passage of this bill would not interfere with their ultimately being taken over.

Mr. RANKIN. I understand that, and I am just wondering whether or not the passage of this bill at this time would interfere with the bureau's program of construction?

Mr. BEGG. Not in the least.

Mr. RANKIN. The program is now being worked out by the Veterans' Bureau, and I want to know whether or not the gentleman in charge of this bill has discussed this matter with the Director of the Veterans' Bureau or with those in charge of that legislation?

Mr. BEGG. Let me comment on the gentleman's statement. Suppose the Veterans' Bureau building program did not include a new hospital at the Dayton Soldiers' Home. Let us assume that for the sake of the argument. You would not for a single moment sanction keeping until 1939 several hundred veterans of the Civil War and the Spanish-American War in a building that everybody who visits it will concede is a fire trap?

Mr. BLANTON. Will the gentleman permit an interruption right on that point?

Mr. RANKIN. Yes.

Mr. BLANTON. Why this sudden uneasiness about this matter?

Mr. BEGG. It is not at all sudden.

Mr. BLANTON. For years I have been going by this Soldiers' Home in Dayton, and they seemed to be getting along fine.

Mr. BEGG. We have been after this for at least a couple of years.

Mr. BLANTON. They have not had a fire there yet.

Mr. BEGG. That is true, and we may not have a fire there for 20 years.

Mr. BLANTON. Everything has been going along there smoothly for 15 or 20 years. Why this sudden uneasiness about it?

Mr. BEGG. We may not have one for years, or we may have one there to-morrow night.

Mr. BLANTON. And likewise this Capitol may then have one.

Mr. RANKIN. Let me say to the gentleman from Ohio that if this program goes through for the Veterans' Bureau to take over these soldiers' homes, and they find it is not necessary to rebuild the home at this place, other provisions will be made.

Mr. BEGG. You can not do that. The old Civil War soldiers or the Spanish-American soldiers can not be moved away from Dayton by the Veterans' Bureau or by anybody else. You can not do that.

Mr. BULWINKLE. The gentleman knows that any construction at Dayton is not connected with the Veterans' Bureau, but if he were to take it over he would come here with the same proposition, because he could not discard the whole outfit and have a safe surgical hospital.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent that this bill may be passed over for a half hour and called up again as soon as the gentleman from Michigan [Mr. CRAWFORD] may confer with the Budget commissioner.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be passed over for half an hour. Is there objection?

There was no objection.

#### PERSONAL PHYSICIAN TO THE PRESIDENT

The next business on the Consent Calendar was the bill (H. R. 5658) allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, to the medical officer assigned to duty as personal physician to the President.

The Clerk read the title of the bill.

The SPEAKER. This bill takes three objections. Is there objection?

Mr. BLANTON, Mr. LaGUARDIA, and Mr. SOMERS of New York objected.

#### PERMANENT INTERNATIONAL ASSOCIATION OF ROAD CONGRESSES

The next business on the Consent Calendar was the House joint resolution (H. J. Res. 107) to provide that the United States extend to the Permanent International Association of Road Congresses an invitation to hold the sixth session of the association in the United States, and for the expenses thereof.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, section 2 of the bill is not drawn in harmony with the bill submitted by the department, and is broader than the section submitted by the department, in that it contains this language, "subsistence or per diem in lieu of subsistence—notwithstanding the provisions of any other act." Of course, the purpose of that is to take these items out of the general limitations of law. If the gentleman will agree to an amendment striking out section 2 and substituting section 2, as submitted by the department, I have no objection.

Mr. LINTHICUM. I shall have no objection to that.

Mr. BLANTON. Mr. Speaker, for the present I object. I think \$25,000 is entirely too large a sum.

Mr. LINTHICUM. Will the gentleman reserve his objection?

Mr. BLANTON. I will.

Mr. LINTHICUM. I have no desire, gentlemen, to take up too much time, but this is a very important bill. It is a bill to have the congress of the Permanent International Association of Road Congresses to come to the United States. Of course, the President has the power to invite the International Congress to the United States, but he has not the power to pay for the expenses of these delegates, printing, and so forth, without authorization from Congress.

Mr. BLANTON. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. BLANTON. I doubt whether it will ever be worth a penny to the people of the United States.

Mr. LINTHICUM. I do not think the gentleman is right about that. The congress is composed of men from all over the world. The gentleman from Texas knows that the great bulk of automobiles is owned in the United States. Out of the 32,000,000 automobiles 27,000,000 are owned in the United States. If you want to create a larger market for automobiles and for road material, you will have to create it in other countries also.

Mr. BLANTON. That is the keynote of the whole proposition—it is to help get more markets for the manufacturers in this country. It is to make the Government pay for their advertising.

Mr. LaGUARDIA. I think all international congresses are a good thing.

Mr. LINTHICUM. It is the intention to bring this congress to the United States, and when it is here, after the deliberations of the convention, it is the purpose of the committee to take those interested in automobiles, road building, and other industries on a visit through the United States. It is proposed to take 300 through the country to see what we are doing.

Mr. BLANTON. Oh, they all know what we are doing, and we know what they are doing.

Mr. LOZIER. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. LOZIER. Is it not a fact that road building in Europe is in an experimental stage, and might they not make a material contribution to the science of road building, which is a question of vital importance to the American people?

Mr. LINTHICUM. Absolutely, and I would like to give the gentleman some figures on this. The present membership comprises 45 countries, including the United States.

Mr. BLANTON. There were 40 countries represented here three years ago—was the gentleman from Maryland here?

Mr. LINTHICUM. I was. I was not only here, but I was at the one in Paris this summer at my own expense. To go on with these figures, 45 countries, 458 collective bodies, 1,370 private members, of whom 550 are life members. This is a large organization, and is the only organization in existence of this kind. I do not think the gentleman should object. This is recommended by the President and the Secretary of State and by the Budget.

Mr. BLANTON. We are having entirely too many of them, and they are costing the people too much.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

## PAN AMERICAN CONFERENCE ON HIGHWAYS

The next business on the Consent Calendar was House joint resolution (H. J. Res. 108) to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. BLANTON. Mr. Speaker, I object.

## MIDDLE RIO GRANDE CONSERVANCY DISTRICT

The next business on the Consent Calendar was the bill (H. R. 70) authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object.

Mr. CRAMTON. Mr. Speaker, I reserve the right to object.

Mr. LAGUARDIA. Mr. Speaker, I find there is a direct appropriation here of \$100,000. The balance is authorization. Will the gentleman from New Mexico [Mr. MORROW] state the necessity for that, if that is correct?

Mr. CRAMTON. Mr. Speaker, if the gentleman will permit, the language to which the gentleman refers does not actually make the appropriation, although it sounds very much like it. The language in lines 11, 12, 13, and part of 14, on page 2, are not at all essential. I have gone over the matter with the gentleman from New Mexico as to some amendments to the bill, and he has agreed to accept the amendment striking out the lines to which the gentleman refers.

Mr. LAGUARDIA. That is satisfactory to me, and I withdraw the objection.

Mr. MORROW. Mr. Speaker, if there is no objection, then I ask unanimous consent to substitute for this bill the Senate bill 700.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. CRAMTON. Mr. Speaker, there are certain amendments I would like to see made to the bill. Most of them relate rather to the form and the verbiage than to the substance. There is at least one of importance, and that is as to the reimbursable feature, to insure the return of the entire amount expended. I have gone over the matter with the gentleman from New Mexico [Mr. MORROW], and I understand that the amendments that I have in mind are agreeable to him.

Mr. MORROW. Yes.

Mr. CRAMTON. I wonder if it would not be well to have my amendment read for the information of the House. Sometimes after the stage of objection is passed, some Members, not party to the agreement, manifest a sudden interest in the bill. I feel very keenly about the question of the one amendment to which I have referred, and I would not want to let the objection stage pass without being assured that the bill if it passes at all would contain this amendment; and in that, as I understand it, I have the entire sympathy of the gentleman from New Mexico.

Mr. MORROW. Mr. Speaker, I have no objection to the amendments being read. I only desire to substitute the Senate bill for the House bill, to be amended as the gentleman from Michigan suggests.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the amendments he proposes to offer to the bill in case consent is given may be read for the information of the House. Is there objection?

Mr. CRAMTON. Mr. Speaker, I withdraw my request at this time and will let the matter proceed in the ordinary way.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

The SPEAKER. The gentleman from New Mexico asks unanimous consent to substitute Senate bill 700 for the bill now under consideration. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the Senate bill.

Mr. CRAMTON. Mr. Speaker, I offer an amendment in the nature of a substitute for the Senate bill, to strike out all after the enacting clause, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the proposed amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON to the Senate bill: Strike out all after the enacting clause and insert in lieu thereof the following:

"Be it enacted, etc., That the Secretary of the Interior is hereby authorized to enter into an agreement with the middle Rio Grande conservancy district, a political subdivision of the State of New Mexico, providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands situated within the exterior boundaries of the said middle Rio Grande conservancy district, as provided for by plans prepared for this purpose in pursuance to an act of February 14, 1927 (44 Stat. L. p. 1098). The construction cost of such conservation, irrigation, drainage, and flood-control work apportioned to the Indian lands shall not exceed \$1,593,311, and said sum, or so much thereof as may be required to pay the Indians' share of the cost of the work herein provided for, shall be payable in not less than five installments without interest, which installments shall be paid annually as work progresses: *Provided*, That should at any time it appear to the said Secretary that construction work is not being carried out in accordance with plans approved by him, he shall withhold payment of any sums that may under the agreement be due the conservancy district until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of the works to be apportioned to the Indian lands there shall be taken into consideration only the Indian acreage benefited which shall be definitely determined by said Secretary and such acreage shall include only lands feasibly susceptible of economic irrigation and cultivation and materially benefited by this work; and in no event shall the average per acre cost for the area of Indian lands benefited exceed \$67.50: *Provided further*, That all present water rights now appurtenant to the approximately 8,346 acres of irrigated pueblo lands owned individually or as pueblos under the proposed plans of the district, and all water for the domestic purposes of the Indians and for their stock shall be prior and paramount to any rights of the district or of any property holder therein, which priority so defined shall be recognized and protected in the agreement between the Secretary of the Interior and the said middle Rio Grande conservancy district, and the water rights for the newly reclaimed lands shall be recognized as equal to those of like district lands and be protected from discrimination in the division and use of water, and such water rights, old as well as new, shall not be subject to loss by nonuse or abandonment thereof so long as title to said lands shall remain in the Indians individually or as pueblos or in the United States, and such irrigated area of approximately 8,346 acres shall not be subject by the district or otherwise to any prorata share of the cost of future operation and maintenance or betterment work performed by the district. The share of the cost paid the district on behalf of the Indian lands under the agreement herein authorized, including any sum paid to the district from the funds authorized to be appropriated by the act of February 14, 1927 (44 Stat. L. p. 1098) shall be reimbursed to the United States under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That such reimbursement shall be made only from leases or proceeds from the newly reclaimed pueblo lands, and there is hereby created against such newly reclaimed lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the pueblos or individual Indian ownership: *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by said district in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection by said representative."

The SPEAKER. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

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

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

The similar House bill 70 was laid on the table.

## THE PUBLIC SCHOOLS IN THE DISTRICT

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to proceed out of order for 10 minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed out of order for 10 minutes. Is there objection?

Mr. BLANTON. We would like to know what it is about.

Mr. SIMMONS. It is about District schools.

Mr. BLANTON. In that connection I want to reserve the right to object. I want to ask the gentleman a question in regard to the District business. We are asked to set aside our public business now to take up District business. I notice that on an appropriation bill the Senate has placed a legislative amendment that would authorize the United States Bureau of



Efficiency to spend part of its time in checking up District business. Is that done with the consent of the gentleman's committee in the House?

Mr. SIMMONS. I am not touching on the Bureau of Efficiency to-day.

Mr. BLANTON. Then I shall not interfere with the gentleman.

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

Mr. SIMMONS. Mr. Speaker and gentlemen of the House, for the last three years I have been a member of the subcommittee of the Committee on Appropriations handling the bill for the District of Columbia. When the bill is coming up for consideration in the committee, and prior to its coming before the House, the newspapers of Washington always carry articles about the condition of the public schools in Washington. On Saturday morning in the Washington Post there was an editorial entitled "Shameful school conditions," that makes such preposterous and absurd statements about the District schools that the subcommittee on the District bill have thought that we should discuss it briefly now rather than wait until that bill comes before the House within the next three weeks.

The parents in the District of Columbia know that the statements made in this editorial are not true. The editorial can have but one purpose, and that to induce Members of Congress who do not, and can not of necessity, study District affairs to reach a conclusion contrary to the facts and to vote contrary to the facts when the bill comes up before the House.

This statement is made in the editorial:

Thousands of children are suffering irreparable wrong by being denied the opportunity to obtain schooling. The law compels parents to send children to school. But Congress fails to provide the schools.

That statement is untrue.

I call your attention to the report of the District Commissioners to Congress, which we have before us now for the fiscal year 1927, page 18.

This report of the school officials, transmitted to Congress by the commissioners, shows that we have to-day 73,212 sittings available in the public schools. That is exclusive of the portables and rented buildings. But, including portable and rented buildings, we have to-day available 75,063 sittings, to take care of a registration of 67,899 children.

The editorial says: "Although there are 67,899 children enrolled in the public schools, there are accommodations for only one-half that number." That statement is untrue. In addition to these figures that I have just given, let me call your attention also to the fact that we are building now under the present appropriation bill in the District of Columbia—that for 1928—65 classrooms for elementary children and high schools to take care of 4,675 additional pupils. The bill that my committee is now considering has before it recommendations that we build 80 schoolrooms for elementary grades and high schools, taking care of a total of 3,450 additional pupils, or, in addition to the present sittings in the District of Columbia, Congress has authorized, or there is pending before the committee, requests for accommodations for 8,125 additional pupils.

Or with present authorizations and present Budget Bureau requests pending before the Committee on Appropriations, we will have 83,188 seats in the District of Columbia to take care of less than 68,000 registered students to-day in the District schools, or deducting portables, 80,337.

The person who wrote that editorial in the Washington Post, if he knows anything about the schools of the District of Columbia, knows that his statement is false.

Children are approaching the high-school age with their primary instruction only half completed.

And that we are running part-time classes in the District of Columbia. There are some part-time classes in the first and second grades, and in the kindergarten we have some part-time classes. We have 10 part-time classes in the schools in the third grade. But, with that exception, beginning with the third grade and running on to completion in the normal schools, there is not a child in the District of Columbia who is compelled to go part time in the schools, and there is not a child in the District of Columbia to-day that is being denied the opportunity to go to school, and there is not a child approaching high-school age without adequate primary instruction due to the failure of Congress to appropriate money for schools. They state that—

In the estimates now pending before Congress there are no items for new school sites, although they are needed in many parts of the District.

That statement is likewise untrue. If the editor of the Washington Post had read the present bill he would have known it, for the present bill carries two items for important and needed sites.

They state that "the five-year building program is \$11,000,000 behind." That statement is likewise untrue. Congress authorized—not required—the expenditure of approximately \$20,000,000 over five years for school buildings and grounds. We have two years of that yet to cover. Several millions will be spent during those two years for schools which must be deducted from the \$11,000,000 of the \$20,000,000 total. Three years have been covered out of the five with appropriations of \$9,250,000. The present bill carries an additional \$2,500,000.

The editorial says:

No complaint is made that the high-school accommodations are inadequate. There is room in the high schools, because a heavy proportion of the primary-school children have failed to obtain sufficient instruction to be ready for high school. These youths, robbed of their right to obtain public-school education, and having reached the age where they are ashamed to remain in classes with little children, are going out into the world poorly equipped for their life work.

That statement is not true.

Doctor Ballou, the superintendent of schools, testified before the committee last year that we had an excess of high-school accommodations, due to the fact that they had overestimated the probable needs for high-school facilities in the District of Columbia. You will find that testimony on page 594 of the hearings of last year.

Doctor Ballou came before the House committee last week and was specifically asked—after calling his attention to the fact that the present Budget carries \$700,000 in the school total for the beautification of the grounds of buildings, for gymnasiums, and auditoriums—whether he would prefer that we change the use of that \$700,000 and spend it for additional classrooms in the District of Columbia. He said no, that he wanted that money spent as the Budget recommended it be spent. Then we asked him, if we could find money some place else in the bill that we could divert to the schools, whether he had any recommendations as to where it should go, and he recommended that the first need in the schools to-day was not for more classrooms to be put in this bill, but that we buy a site in southwest Washington for a junior high school. That it was the most urgent item and that additional buildings were not more urgent. Regarding last year's bill he told us—and you will find this on page 509 of the hearings—that the bill—was the most satisfactory school budget that had yet been presented to Congress.

We had before us this year the representatives of the Citizens' Advisory Council. Doctor Havenner stated:

I want to say the bill passed last year is the best bill, so far as I know, we ever had in all of my civic career.

Then Mr. Hege, speaking likewise for the Citizens' Advisory Council about the bill we are now considering, said:

Now, the school-building program we are satisfied with; you are giving us more classrooms now, this year, under this bill, than we have ever had, and that will help immensely.

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

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

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. SIMMONS. I give you this, gentlemen, because I know you men are interested in seeing that we maintain an adequate school system in the city of Washington. The editorial to which I have referred is so patently false, so maliciously false, that I deemed it my duty, on the advice of the members of my committee, to call it to the attention of the House. The "shame and disgrace" is that the schools and children of Washington should be libeled as this article libels them.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska have another minute, because I want to ask him a question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLANTON. There are going to the Washington schools over 3,000 children who live in Virginia and Maryland, and who are not only furnished their tuition but their free textbooks. I notice the gentleman said we have only 68,000 children and he was providing seating arrangements for 83,000. Is he expecting to take in all the balance of the children from Virginia and Maryland who are not now going to school in the District of Columbia?

Mr. SIMMONS. There are at the present time about 2,500 children from Virginia and Maryland in the Washington schools.

If they were removed, the crowded schools, necessitating part-time classes in many instances, would be relieved; but they are not being removed and are being educated at the expense of the District of Columbia.

Mr. BLANTON. There were 3,100 last year, according to the report I have, but they may have been reduced this year to 2,500.

Mr. HOLADAY. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes on the same subject.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I shall not object to the gentleman having 10 minutes, but this is the Consent Calendar and some of us have been doing a great deal of work on it. I ask the Members to take that into consideration, and if other Members ask permission to address the House I shall feel obliged to object.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOLADAY. Mr. Speaker, in line with what the gentleman from Nebraska has just said, I want to call your attention to an editorial appearing in the Washington Herald of Friday, February 3, accompanied by some pictures of school buildings here in the city of Washington. The editorial is headed:

Some pictures that prove Capital City's disgrace.

I shall only read a part of it:

Here are pictures of two schoolhouses, out on the north border of Washington, where the boundary line divides the District of Columbia from Maryland.

One picture shows a four-room, modern, up-to-date, brick, properly heated, correctly lighted school. The other shows the type of one-room frame portable structures of which 75 are in use in the District.

These one-room makeshifts are badly lighted, ill ventilated, insanitary, and heated by old-fashioned stoves near the center of the room. In cold weather the children attending such a school are toasted on one side and develop chilblains on the other.

The two buildings shown in the illustration are only a short distance apart. The two portables in the upper picture are in West Takoma Park, on the District of Columbia side of the line. The fine modern structure in the lower picture is on the Maryland side of the line.

Now, coming back to the point the gentleman from Nebraska mentioned. These editorials are misleading and tell only half of the truth. Let me call your attention to the situation. By the side of those two portables, pictured in this paper, there is to-day a 16-room modern school building.

A short distance across from that 16-room school building is the modern building in Maryland that is pictured here. [Indicating.]

Now, what is the rest of the true picture? On last Friday, the 3d day of February, there came across the line from Maryland, from the district served by this Maryland school, and entered the District of Columbia schools 245 children from Maryland, free of charge. If these 245 children were taken out of the school, then these two portables could be abolished, because the District is furnishing facilities in the 16-room building necessary to take care of all the children from the District of Columbia.

Coming to the point raised by the gentleman from Texas [Mr. BLANTON], there appeared in this morning's Post an editorial saying that Dr. Raymond A. Pearson, president of the University of Maryland, had appeared before a committee of this House and asked the Government to make provision for the payment of tuition of residents of the District of Columbia who are attending the University of Maryland without paying tuition. He said that this is unfair to the State of Maryland, because the District of Columbia and the Federal Government are not contributing to the support of his institution. I agree with his statement that it is unfair. He suggests legislation; and I have introduced this morning a bill which authorizes the District Commissioners to enter into an agreement with the State of Maryland whereby an account can be taken of children from the State of Maryland that are coming into the District of Columbia to school, balanced against the residents of the District who are going to the University of Maryland, computed on a per capita cost of operation, and the balance in whose favor it may be, to be paid in cash.

Mr. BLANTON. Will the gentleman yield?

Mr. HOLADAY. I yield to the gentleman.

Mr. BLANTON. My position is that the District children who go to the University of Maryland ought to pay the university, and the Maryland children who go to the District schools ought to pay the District for it.

Mr. HOLADAY. I agree with the gentleman absolutely, and that is what my bill provides.

Mr. BLANTON. Up to this year there were 3,100 children from Virginia and Maryland who were going to the Washington schools free. Of course, the number has been reduced, as the gentleman from Nebraska has said, to about 2,500 this year.

Mr. HOLADAY. There are to-day 2,582 nonresident pupils in the District of Columbia schools, of whom 57 are paying tuition.

Mr. BLANTON. And last year there were 3,100.

Mr. HOLADAY. Why 57 out of the 2,582 are paying tuition I do not know. Practically all of them come from the States of Maryland and Virginia. All of the 2,582 are from those two States, except there is 1 pupil each from California, Connecticut, Idaho, and Illinois and 2 each from New York, Pennsylvania, and West Virginia.

If the policy which I have proposed is adopted, every portable that is now in use in the city of Washington can be abolished because Congress and the District officials to-day are furnishing suitable accommodations for all of the resident pupils of the District. [Applause.]

Mr. KETCHAM. Will the gentleman yield?

Mr. HOLADAY. I yield.

Mr. KETCHAM. Is the gentleman in position to state whether or not all the portables that are listed here are to be found near the boundary lines and that their erection and use is caused by the fact that these pupils come from the outside or are the portables scattered quite generally over the city?

Mr. HOLADAY. They are not scattered quite generally. I would say that to a large extent they are along the District line, although that is not absolutely true.

Mr. KETCHAM. One further question. Would the gentleman go so far in his bill as to require the children of parents, who live outside of the District and for the most part go out there in order to have certain advantages in cheaper living, to pay tuition if their parents are employed and have their entire business here in the District?

Mr. HOLADAY. I can see no reason why there should be a different situation with reference to the District of Columbia and Maryland and Virginia than exists between Michigan and Indiana or Indiana and Illinois.

Mr. CRAMTON. Will the gentleman yield?

Mr. HOLADAY. I yield.

Mr. CRAMTON. I may say to the gentleman that I have had a bill some three years, I think, before the District Committee, to relieve the District from this unjust burden. I think my experience is likely to be the experience of the gentleman from Illinois with his bill. The chairman of that committee being from Maryland and concerned first with the interests of his district—I think I ought to break the news gently to my friend from Illinois not to expect any sudden action by the District Committee that will be adverse to the district represented by the gentleman from Maryland, Mr. ZIEHLMAN. [Applause.]

Mr. BLANTON. And especially in view of the fact that the associate chairman, the gentleman from Virginia [Mr. MOORE] is likewise interested.

Mr. HOLADAY. I will say to the gentleman from Michigan I had some suspicion of that condition, but the president of the University of Maryland comes here and wants relief. I agree with him. He is right and he should have relief, but at the same time I think we are fair in saying to him, "We will pay you and you pay us and we will strike a balance and wherever a cash payment may be due, let it be paid."

Mr. KETCHAM. Will the gentleman yield again?

Mr. HOLADAY. Yes.

Mr. KETCHAM. Do I understand the gentleman would make no distinction between these young men, for instance, who have come to the age where possibly they may earn a part of their tuition and these little chaps, the children of these people who live on the outside? Their parents, for the most part, are men that are having all they can do to make ends meet now, and yet this great Government that employs them is made a party to this arrangement which the gentleman contemplates in his bill, of taxing these men the amounts necessary to pay this tuition, in addition to the expenses that are already more than they can bear. I must confess that in that regard I am with the chairman of the District Committee, and, more than that, I want to say I shall take great pleasure in joining with others in seeing that these little fellows have their chance.

Mr. HOLADAY. The question of these little fellows' having their chance is not involved.

Mr. KETCHAM. It is.

Mr. HOLADAY. The simple question is whether or not the State of Maryland, collecting its school funds, shall provide adequate school facilities or shall the District of Columbia furnish those facilities. [Applause.]



Mr. CRAMTON. Will the gentleman yield further?

Mr. KETCHAM. Yes.

Mr. CRAMTON. And whether the Government clerk who lives in the District and pays taxes for schools for his children shall, in addition, pay taxes to support schools for the children of other Government clerks who live in Maryland. [Applause.]

Mr. HOLADAY. That is the question.

Mr. KETCHAM. Will the gentleman yield?

Mr. HOLADAY. I will.

Mr. KETCHAM. Referring to the question the gentleman has just raised in responding to my colleague from Michigan, I am here to say that any resident of the District of Columbia pays such a small tax in school matters in contrast with any other municipality of comparable size that it is a matter too small to argue about.

#### MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Mr. MORROW. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the bill recently passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. MORROW. Mr. Speaker, by my motion Senate bill 700 was substituted for House bill 70 and amended. The bill authorizes the Secretary of the Interior to execute an agreement with the middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex.

The lands now under irrigation by the Indians, due to the indifferent and ancient method of irrigation pursued for centuries by these Indians, have become water-logged, alkali, and largely nonproductive. A modern method of drainage canals and laterals will reclaim to the Indians this land. It is contemplated that not only their present lands under cultivation will be reclaimed but an additional 15,000 acres of land for the future benefit of the Indians. This land is not irrigated at this time; it has a very low valuation, and is used only for grazing purposes at a small rental per acre. If reclaimed, it should be worth from \$150 to \$200 per acre, and will return a rental each year of from \$7 to \$10 per acre.

It is from the last-mentioned 15,000 acres of Indian land to be reclaimed that the Government will by this bill get its repayment charges for the cost of reclaiming same.

You might as well ask the question, What contention justifies this Government expenditure? Principally to meet the conservancy district in which the city of Albuquerque, the largest city of the State, having a population of 30,000, is located. In this city the Santa Fe Railroad has its largest railroad shop on its main line between Topeka, Kans., and Los Angeles, Calif. This city, in connection with four other towns, the railroad company, and the entire population, formed a conservancy district, and is proposing to bond same to carry forward the proposition of drainage, flood control, and reclamation for the valley, which land is interspersed with the Indian lands of six pueblos.

The valley adjoining Albuquerque and extending a distance of 150 miles from White Rock, on the north, to San Marcial, on the south, and from 1 to 5 miles wide, is the area needing drainage and reclaiming. All conditions are favorable for success; the soil is a sandy loam, and by properly draining same is very productive; all grains and vegetable crops of the north Temperate Zone can be grown here; cultivation was begun in this valley by the Spanish settlers more than 300 years ago, and by the Pueblo Indians for centuries back. This is not new development and cultivation, but there is a need for drainage, flood control, and reclamation to restore the fertility of the land, which has been indifferently irrigated for centuries.

All fruits common to the altitude of the locality can be grown; some 10,000 grapevines are now under production. Alfalfa can be grown to the extent of five crops per year; tobacco is raised, a new variety is now being produced here for insecticide purposes and especially used in dipping cattle and sheep, for which there is a very ready market in the southwest stock country. The plant grown here produces a very great yield per acre, and the whole plant, stalk and leaves, are used for nicotine. Four hundred acres were planted in tobacco this past year; the plant grew to a great height where protected from late frosts and permitted to develop it reached a height of 11½ feet. This tobacco culture yielded gross per acre as high as \$800. The soil, due to the great silt deposit, apparently has the properties for furnishing the elements for this great production. This quality of tobacco offers wonderful opportunities for the growth of the product in this valley. The yield of nicotine from the plant is 13 per cent. The labor for the growth and care of this product is easily had in the valley; this is espe-

cially true of the Indian people, who have a knowledge of irrigation and can readily be trained to the cultivation and care of the tobacco.

This valley, due to its climatic, soil, and irrigation conditions, is destined to become one of the great agricultural and horticultural districts of the western country. The growing season in the valley is from 189 days in the northern end to 198 days in the lower end.

The previous Congress appropriated \$50,000 for the survey of the Indian lands and for the preparation of plans for necessary development in conjunction with the carrying forward of this work within the district. These plans have been approved by the Secretary of the Interior.

The entire lands within the district number 210,000 acres; the area to be reclaimed and drained will be approximately 129,000 acres; the Indian land is approximately 23,000 acres, or about 18 per cent of the entire area.

Of this tract there are some 8,342 acres that the Indians cultivate at this time, and which have been cultivated for a period of years running into the centuries. The new land reclaimed will be 15,000 acres. As stated before, it is from the last-mentioned land that the Government will get its return for the money thus expended in behalf of the Indians. Climate and soil conditions are such in this valley that the land can be readily leased; there is a home market for all products that the valley will raise. The total cost of irrigating, drainage improvements, flood control, and so forth, of the whole area is estimated at \$11,829,000; the Indian share is \$1,593,311.

The total population is 50,000 people. Albuquerque is the largest city, but there are many smaller towns and villages, all within the district, which need this legislation in order that their work for flood control, drainage, and reclamation will go forward. The Indian population is, for the entire six pueblos which intersperse the white lands, some 3,500 people.

Albuquerque seeks to advance its development by assisting this proposed legislation, and in turn it will be assisted by said legislation. The city feels that this effort upon the part of the Government, in assisting with the Indian part of the necessary funds, will be doing a service to the middle Rio Grande Valley; in turn the Government is doing much for the future of these Indians in reclaiming and placing the lands in a position for successful cultivation.

The bill has the approval of the Government; a department survey in the field has been made; expert engineers have reported that the plan is feasible, economical, and of great benefit to the six Indian pueblos. The immediate and urgent necessity for this legislation is the fact that the district is anxious to proceed with the issuance of its bonds, and to proceed at once in carrying out the proposed plans. To do this the Indian lands within the district which will receive the benefits require the passage of this legislation. The district has spent \$300,000 in surveys, testing sites for dams, and so forth, and the Government has contributed its share of \$50,000. The plan proposed by the legislation if thus approved will hasten development.

In the passage of this legislation adequate protection is given to the Indians, both as to priorities and the use of water, with a limitation of costs. It also protects the Indians from losing any lands by the enforcement of any lien to the Government while title to the lands is held in Indian ownership.

The generous effort made on the part of the Government in backing the legislation ought to bring forward at a more rapid advancement a change from the primitive life that these Indians have persisted in maintaining for centuries, and will hasten the period in which they will enter into the activities of citizenship, as citizens in the full sense of the word, in the State and Nation.

#### CLAIMS OF POSTMASTERS

The next business on the Consent Calendar was the bill (H. R. 325) repealing existing law requiring the Postmaster General to report action taken on claims of postmasters.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this bill seeks to repeal the law which requires the Postmaster General to report to Congress his action on claims for losses. I want to remind gentlemen of what the President said at the Press Club the other night, that the people's greatest safeguard in the world is publicity. Now, they are seeking to repeal this provision for publicity. And I am against this bill, and object to its passage.

Mr. SPROUL of Illinois. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

## AMENDING SECTION 5 OF THE ACT OF MARCH 2, 1895

The next business on the Consent Calendar was the bill (H. R. 7030) to amend section 5 of the act of March 2, 1895.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. RAMSEYER. Reserving the right to object, I want to ask the gentleman if he is prepared to offer an amendment in reference to the United States Code?

Mr. KELLY. I will say that that has been provided for, and an amendment will be offered.

Mr. LAGUARDIA. Reserving the right to object, I want to point out that section 815 of title 29, United States Code, is in the act approved March 8. What reference does the gentleman propose to give?

Mr. KELLY. Title 6, section 3, is the amendment I propose to offer.

Mr. LAGUARDIA. Has the gentleman compared the section?

Mr. KELLY. Yes; it is title 6, section 3.

Mr. LAGUARDIA. I think the gentleman will find himself in conflict.

Mr. KELLY. It was compared by the gentleman from Iowa [Mr. RAMSEYER] and myself.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5 of the act of March 2, 1895, chapter 177, is amended by the addition of the following:

*"Provided, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees shall be a compliance with the requirement for the renewal of such bonds within the meaning of this act."*

Mr. KELLY. Mr. Speaker, I offer the following amendment. The Clerk read as follows:

Page 1, line 3, at the end of the line after figures "177" insert "(U. S. C. title 6, section 3.)"

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

## PENSIONS TO DEPUTY MARSHALS OF THE UNITED STATES DISTRICT COURTS

The next business on the Consent Calendar was the bill (H. R. 5709) granting a pension to the regularly commissioned United States deputy marshals of the United States District Court for the Western District of Arkansas, including the Indian Territory, now the State of Oklahoma, and to their widows and dependent children.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. BLANTON. Reserving the right to object, this is a new pension act, and seems to establish a bad precedent. If the gentleman from Arkansas wants to make a statement I will reserve my objection.

Mr. TILLMAN. Mr. Speaker, I hope I may have the attention of the House while I explain this bill. It appears to be a pension bill of course. The objection was made once that it should have gone to the Committee on Pensions. The reason why the bill was not sent to the Committee on Pensions was that it proposes to pension deputy marshals of the district courts. Hence it properly should have gone to the Committee on the Judiciary, where it has gone. It has been carefully considered on numerous occasions by the Judiciary Committee. There has been extensive hearings at one time. The Judiciary Committee of three separate Congresses have unanimously recommended the passage of the bill.

Mr. CRAMTON. The bill says it is to pay a pension.

Mr. TILLMAN. I grant that.

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

Mr. TILLMAN. Yes.

Mr. BLANTON. None of the United States marshals and none of the deputy marshals of the United States in any State are pensioned now.

Mr. TILLMAN. Let me have a little time in that connection to explain.

Mr. BLANTON. In that connection, if we pass this bill, and if we grant a pension of \$50 a month to these particular deputy marshals down in Oklahoma—

Mr. TILLMAN. And Texas.

Mr. BLANTON. Yes; and Texas—and right now, of course, I am particularly interested in what goes on in Texas—

Mr. TILLMAN. And so are we.

Mr. BLANTON. Would not that be letting the camel's nose get under the tent, and would not every one of these deputy marshals and every United States marshal hereafter come in and say, "If you grant a pension to these, do likewise unto us."

Mr. TILLMAN. If I may have just a little time to explain this.

Mr. DYER. I ask unanimous consent that the gentleman may proceed for five minutes.

The SPEAKER pro tempore (Mr. SNELL). The gentleman is recognized. This is going on by unanimous consent.

Mr. TILLMAN. Mr. Speaker, I want to explain the position of the friends of this bill and to discuss the objection raised by the gentleman from Texas [Mr. BLANTON]. Going back a little, Judge Parker, originally an Ohio man, was judge of the western district of Arkansas for a great many years, and he was judge of the biggest criminal court in the world. He had 13,000 criminal cases on his docket at one time. Judge Parker was one of the greatest judges in America. He came from Ohio and went to Missouri. He was then appointed justice of a high court in Utah for a time, and was appointed by President Grant from that post to be judge of the western district of Arkansas. At that time Judge Parker had jurisdiction over the western district of Arkansas, which included the then Indian Territory. Before my friend from Texas, Mr. BLANTON, or my friends from Oklahoma, Mr. HASTINGS, Mr. HOWARD, and Judge SWANK, grew up, that particular section was the wildest country on the face of the earth. There were more robbers, horse thieves, and murderers and bootleggers in that section of the country than any place under the sun.

Mr. CRAMTON rose.

Mr. TILLMAN. Oh, let me have just a little time, and then I shall be very glad to yield to my amiable and good-looking friend from Michigan. Judge Parker was the judge of this court, and he had a number of deputy marshals whose business it was to pacify the country and to arrest these dangerous criminals; in fact, to perform military service as much so as any soldier. At that time a woman was not safe, at that time property was not safe, at that time human life was not safe. From all of the States of the Union, practically, murderers, thieves, robbers, and the whisky men gravitated to this particular section. It was the old Indian Territory, rendezvous par excellence of the lawless. They had no churches; they had no local self-government. This able, fearless judge, whom we all revere down there, undertook to pacify this section of country. Eighty men were hanged under Judge Parker's jurisdiction. That simply shows the extent of crime prevalent in the Indian Territory. This was just after the War between the States. The military arm of the Government tried to pacify the country. It was powerless to do so. These deputy marshals were men who had come out of the Confederate and Union Armies. They were appointed deputy marshals for the purpose of pacifying that country, and they did so. Sixty-five of them were killed in this dangerous service. They worked for a mere pittance. This was a military service which they performed, and that is why I say they ought to be pensioned. There are 25 or 30 of them alive, tottering old men, poor, afflicted, old. They performed this service for almost nothing.

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

Mr. TILLMAN. Yes.

Mr. LOZIER. To show the conditions that prevailed in that jurisdiction, is it not a fact that in the history of the world there is no record of where one judge sentenced more people to execution than Judge Parker did?

Mr. TILLMAN. That is true, and that is why we respect him. He was equal to a difficult occasion. He sentenced murderers, and they were executed, and that splendid country has been redeemed, and now constitutes the State of Oklahoma. Personally I have very little interest in this bill. I think there are perhaps two or three of these old, blind, decrepit marshals in my district, perhaps in my county. The bulk of them are over in Oklahoma and in Texas and in a few surrounding States.

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

Mr. TILLMAN. Yes.

Mr. LEHLBACH. Section 2 of this bill reads as follows:

That the pension herein provided for shall be computed from the date of the commission issued by the Department of Justice upon which the application is based.

That seems to provide for a back pension.

Mr. TILLMAN. That is an error. That is to say, I drew the bill from the old one first introduced. The report says it is not to be retroactive. I shall accept an amendment to provide that this pension shall not be retroactive.

Mr. LEHLBACH. This section should be stricken out.

Mr. TILLMAN. Yes; I would be glad to offer that amendment myself. I now yield to the gentleman from Michigan.

Mr. CRAMTON. Oh, I think the occasion has passed.

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

Mr. TILLMAN. Yes.



Mr. BLANTON. There are many ex-sheriffs in the gentleman's State, in Oklahoma, and in my State, who have performed similar service to that mentioned by the distinguished gentleman from Arkansas. Is he going to pension all of them because they did their duty?

Mr. TILLMAN. Now, I do not want to be unreasonable, but I want you to allow this bill to go through with the amendment suggested by the gentleman from New Jersey, which I shall offer myself. In that connection I ask to amend the bill—

The SPEAKER pro tempore. The bill is not reported yet. Is there objection to the present consideration of the bill?

Mr. HOOPER. Reserving the right to object, Mr. Speaker, I am sure that all of us sympathize with the situation that is referred to in this bill, but at the same time it furnishes a precedent entirely outside of anything to which we have been accustomed. It selects and singles out about two men, as I understand from the gentleman from Arkansas—

Mr. BLANTON. Oh, more than that.

Mr. HOOPER. Five, perhaps.

Mr. BLANTON. No; there are a bunch of them.

Mr. HOOPER. I understood the gentleman from Arkansas [Mr. TILLMAN] to say there are but two.

Mr. TILLMAN. From my county there are but two or three, but throughout the country there are more, perhaps 30.

Mr. HOOPER. They are not soldiers, although they undoubtedly performed as courageous a service as any soldier would perform. Yet they are not in a situation of such a kind as that they can be recognized as soldiers. We pension them as soldiers, but not when they are United States marshals.

Mr. HOWARD of Oklahoma. Mr. Speaker, will the gentleman withhold his reservation of the right to object? I want to make a statement.

Mr. HOOPER. Yes; I will withhold it. But, Mr. Speaker, it seems to me the precedent that would be established by the enactment of this bill would be dangerous in the extreme. It would open up the floodgates to all sorts of bills that would be introduced here, and this would be pointed to as a precedent. While I reserve the right to object at the request of the gentleman from Oklahoma and others, I shall object.

The SPEAKER pro tempore. The gentleman from Michigan reserves the right to object.

Mr. HOWARD of Oklahoma. Mr. Speaker, I think there is a misapprehension in regard to the setting of a precedent by the passing of this bill. I want to direct the attention of the House to the fact that this court was a special court. It was created by Congress for a specific purpose, and while it was located in the State of Arkansas it had no jurisdiction in that State at all.

I want to say further that this can not be regarded as a precedent, because there never has been and there never will be again a set of United States marshals working under the same conditions as these. They were the trail blazers of civilization. This court was established for the purpose of bringing civilization into that country. This judge was appointed, and when their work was done and this court dissolved these marshals went out of employment and were, as a matter of fact, special officers of the Government for a special cause during their employment.

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

Mr. HOWARD of Oklahoma. I will be very glad to.

Mr. CRAMTON. The precedent would consist not in the number of bills that might come in affecting United States marshals, but a precedent of passing a bill giving a pension to these United States marshals would be objectionable from the fact that many classes of civilian officials might urge a similar pension, and this would constitute a precedent for them.

Mr. HOWARD of Oklahoma. I want to call attention to this: These marshals for whom we are appealing here were in a special court which was created because we realized the necessity for a court of that kind in order to carry out this work. They put on these marshals because if soldiers had been put in control of this work they could not have reached those people. If soldiers had done the work that these marshals did we would be pensioning them to-day. I say we have had none like this before and will have none in the future.

Mr. CRAMTON. I think the gentleman from Oklahoma has used an unfortunate illustration when he referred to soldiers. If Regular Army soldiers had performed that duty it is not certain that they would have received any pension, and certainly not \$50 a month. They would have received a pension only for injuries incurred in the line of duty and not as much as \$50 a month.

Mr. HOWARD of Oklahoma. I will say that these United States marshals received disabilities in the line of duty.

Mr. TILLMAN. As a matter of fact, soldiers did try to pacify that country, and then it was requested that the marshals be given a free hand, and they went in and did the work. I call attention to the testimony here, where it is stated that several times soldiers did attempt to pacify the country and failed.

Mr. HOWARD of Oklahoma. In order that it may be made a part of the record in this case, I want to read a memorial from one of these United States marshals as to the results of this work—Mr. Frank Cochran, of Oklahoma City.

Mr. CRAMTON. Let me suggest to the gentleman that there are a number of other bills that Members are interested in, and the gentleman from Michigan [Mr. Hooper] says he will object to this bill.

Mr. BLANTON. I suggest that the gentleman extend his remarks in the Record.

Mr. HOWARD of Oklahoma. No. I believe it will be a bit of history that Congress will be interested in. It will take only two or three minutes.

Mr. CRAMTON. Members are interested in passing other bills.

Mr. HOWARD of Oklahoma. I hope the gentleman from Michigan will not undertake to take me off my feet. I read:

FROM MEMORY OF THE FORT SMITH COURT

By Frank Cochran

The United States Court of the Western District of Arkansas was an entirely different court from the United States district courts of to-day, and the United States marshals that served its processes were altogether different—a different system to work under. Congress established this court. It had jurisdiction in criminal cases over all the Indian Territory from Arkansas west to Colorado and New Mexico, from Kansas to Texas, an area of 74,000 square miles. Less than 100 men kept this vast wilderness practically safe for people who traveled through the country. In 1875 Hon. Isaac C. Parker was appointed judge by Congress. He was judge of this court 21 years. Fourteen of the years there was no appeal from his court. No other court in America was ever vested with such power. Most all criminal cases and the worst criminals that were in the United States. In the 21 years Judge Parker was on the bench 13,500 cases were handled. Nine thousand five hundred of these were convicted or pleaded guilty; 174 were convicted of murder. He sentenced 172 men to death; 88 of these men were hanged. During his term as judge these crimes were all committed in the Indian Territory. The court was situated at Fort Smith, Ark., but had no jurisdiction over crime in that State. Hundreds went to prison for life. \* \* \* We traveled on horseback, slept on the ground, swam rivers (no bridges), carried our "chow" with us. Judge Parker gave us our orders. Processes of his court had to be served. Often we would be 20 to 40 days out serving these papers. We had orders to serve them. We got no salary. We got 6 cents per mile and expenses going, 10 cents returning if we got service. Sixty-five per cent of us were killed or wounded. We took more risks, saw more hardships, than the Army. I believe if the committee all understood the kind of work we did and the kind of country we did it in, they would allow us old boys something, as many of them need it in their old days.

Mr. Speaker, I maintain that this is a different order of affairs. This will not set any precedent, because, as a matter of fact, these people worked for the United States Congress in a special court that Congress created for the purpose of driving civilization farther out into the West and making homes for the settlers.

The SPEAKER pro tempore. Is there objection?

Mr. HOOPER. Mr. Speaker, I object.

Mr. DYER. Mr. Speaker, I wish the gentleman would withhold his objection for a moment in order that I may make a statement. It is true that this legislation, if enacted, would set a precedent which, probably, we would not want to come up before us in after years. There is something to that point, but the facts in this case, Mr. Speaker, are such that, in my judgment, they warrant the precedent, owing to the hazardous and dangerous service rendered by these old pioneers of more than half a century ago. For that reason the committee felt it was its duty to submit it to the House, even though it might be considered a precedent for after years. However, we felt it was one the House should consider and pass upon, and we felt the facts warranted the passage of the bill.

Mr. BLANTON. Will the gentleman yield?

Mr. DYER. Yes.

Mr. BLANTON. If we passed this bill and a bill were to come before the gentleman's committee to pension all the United States marshals and deputies, what would the gentleman do with it?

Mr. DYER. We would not consider it, of course.

Mr. BLANTON. You would have to do it if you followed this precedent.

Mr. DYER. We would not do that.

The SPEAKER pro tempore. Is there objection?

Mr. HOOPER. Mr. Speaker, I object.

Mr. TILLMAN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. But objection is made.

#### AMENDING SECTION 5 OF THE ACT OF MARCH 2, 1895

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that we may return to H. R. 7030, and ask unanimous consent that the Clerk may correct the amendment offered by the gentleman from Pennsylvania, so as to make the amendment read:

Section 3, Title VI, United States Code.

Mr. BLANTON. Mr. Speaker, reserving the right to object, you can only do that by vacating the proceedings. You can not do it by returning to the bill.

Mr. LAGUARDIA. It is the same amendment.

Mr. BLANTON. But you would have to vacate the proceedings.

Mr. LAGUARDIA. I can do that in a minute. Mr. Speaker, I ask unanimous consent that we vacate the proceedings and that the order of the amendment be reversed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### IRON GATES IN WEST EXECUTIVE AVENUE

The next business on the Consent Calendar was the bill (H. R. 359) authorizing the presentation of the iron gates in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House to the Ohio State Archeological and Historical Society for the memorial gateways into the Spiegel Grove State Park.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, when the gentleman from Ohio becomes governor of that State, will he invite his colleagues to the presentation of these artistic gates?

Mr. BEGG. I will say to the gentleman from New York that he does not need to wait until that future time. I will invite him right now to be my guest at any time.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman a question. Are there proper gateways now at the entrance of the grounds to the executive mansion in the capital of the State of Ohio?

Mr. BEGG. I will say to the gentleman that these gates have nothing to do with that.

Mr. BLANTON. If there are not, I think we ought to place these particular ones there.

Mr. BEGG. I will say to the gentleman from Texas that if the time ever comes that I have the key to that particular place he will be welcome and the gates will open up for him.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Whereas the Ohio State Archeological and Historical Society, of which Rutherford B. Hayes was the president at the time of his death, has received by deed to the State of Ohio, dated March 30, 1909, the Hayes homestead in Spiegel Grove, Fremont, Ohio, together with all the personal property connected therewith, including his library Americana, without cost, under the simple conditions that the premises should be maintained and used as a State park in which the old French and Indian trail, known as the Sandusky-Scioto Trail, from Lake Erie to the Ohio River, shall be preserved and maintained as a park drive, and that the granite monument designed and erected by Rutherford B. Hayes after the death of Lucy Webb Hayes be transferred to the knoll in Spiegel Grove, and, together with such improvements as shall be made to the entrance of the State park by the donors, be maintained forever; and

Whereas the old French and Indian trail through Spiegel Grove, used by Indian and French explorers and war parties from the St. Lawrence River and the Great Lakes to the Ohio and Mississippi, later used by the British and Indians from Fort Pitt in the campaigns against the French at Detroit, and later still, after the surrender of Detroit, by the French in 1763, by the British against General Harrison in the War of 1812, has heretofore been marked by memorial gate posts, with historical legends, so spaced to receive the gates from West Executive Avenue, which had been voluntarily tendered by President Harding, a former resident of the congressional district; the Congress of the United States had awarded gold medals to Major General Harrison, commanding the Northwestern Army, and to Maj. George Croghan, the gallant defender of Fort Stephenson at Fremont in the War of 1812, and after

the Spiegel Grove State Park had been deeded to the State of Ohio for historical purposes the War Department, in recognition of the memorial gateways to be erected in honor of Major General Harrison, commanding the Northwest Army in the War of 1812, and of Major General McPherson, the officer of highest rank and command killed in battle during the war for the Union, and a native of and buried in this county, presented and delivered, free on board cars at Fremont, four 10-inch Rodman cannon and four 15-inch cannon balls to form the upright gateposts and caps of the General Harrison and General McPherson gateways into the Spiegel Grove State Park; the donors of the Spiegel Grove State Park have erected a beautiful Hayes Memorial Building, to which has been added an historical library and museum building, and generously endowed the same, together with funds from a land endowment sufficient to maintain the Hayes homestead, and have placed the management and control of endowment funds for historical endowments and research funds in the Rutherford B. Hayes-Lucy Webb Hayes Foundation, a self-perpetuating body, composed of five trustees for life, viz, the Rev. Dr. W. O. Thompson, president emeritus Ohio State University; the Hon. Newton D. Baker, Secretary of War during the World War; the Hon. THEODORE E. BURTON, Representative in Congress; the Hon. John H. Clarke, former justice of the Supreme Court; and the Hon. Myron T. Herrick, ambassador to France.

With the following committee amendment:

Strike out all of the bill and insert the following:

"That the Director of Public Buildings and Public Parks of the National Capital is hereby authorized and directed to deliver to the Spiegel Grove State Park, Fremont, Ohio, the iron gates now hanging in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House."

The committee amendment was agreed to.

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

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

#### OIL AND GAS PERMITS

The next business on the Consent Calendar was the bill (H. R. 5783) to grant extensions of time of oil and gas permits.

The Clerk read the title of the bill.

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

Mr. BLANTON. Mr. Speaker, I want to ask a question. Why is it necessary to have this extension of two years?

Mr. DOUGLAS of Arizona. I will say this to the gentleman from Texas, that all previous legislation on the subject has given authority for the granting of permits for a period of two years.

Mr. BLANTON. But the gentleman is seeking an extension of two years.

Mr. DOUGLAS of Arizona. There are three classes of permits, and only one general class will be affected by this bill.

Mr. BLANTON. Where did this bill come from?

Mr. DOUGLAS of Arizona. This bill has been favorably reported.

Mr. BLANTON. Where did it come from to the gentleman? Where did the gentleman find it?

Mr. DOUGLAS of Arizona. It came to me from your former colleague, now in the Senate.

Mr. BLANTON. That is all the gentleman knows about it?

Mr. DOUGLAS of Arizona. No; I know a good deal more about it than that.

Mr. BLANTON. Mr. Speaker, for the present, I object.

Mr. DOUGLAS of Arizona. Will the gentleman withhold his objection and permit me to state the intent of the bill?

Mr. BLANTON. Yes.

Mr. DOUGLAS of Arizona. There are three general classes of permits, a permittee who has been granted a permit, who has done a certain amount of exploration work and who has abandoned the permit.

This piece of legislation does not pertain to such a permittee. There is the other class of those who have not been diligent in complying with the law with reference to the amount of work which has to be done, and who, because of their lack of diligence, have had their permits canceled. This legislation does not refer to that class of permittee.

Mr. BLANTON. But the gentleman knows that under every oil and gas lease—

Mr. DOUGLAS of Arizona. This is a permit, not a lease.

Mr. BLANTON. But under every gas and oil lease and under every gas and oil permit there is a provision that where a person has acted in good faith and has used any diligence whatever to preserve his rights there is no cancellation of the lease or permit.



Mr. DOUGLAS of Arizona. But the gentleman from Texas will bear in mind that this act refers only to permit and not to leases.

Mr. BLANTON. I catch that; but they are on an equal footing.

Mr. DOUGLAS of Arizona. No; I beg the gentleman's pardon. A permit is for the purpose of exploring, not for the purpose of extracting, because there is nothing to extract.

Mr. COLTON. Will the gentleman yield?

Mr. DOUGLAS of Arizona. Yes.

Mr. COLTON. I am sure the gentleman from Texas is in error. If the Secretary of the Interior or anyone was authorized to grant an extension, this bill would not be here. The time expires automatically. We have never given more than two years.

Mr. BLANTON. The great trouble with such permits is that they are in many instances just like leases, and the parties get these permits to keep somebody else from getting them, and then they never pursue their rights under them at all.

Mr. COLTON. If the gentleman will permit, under the very terms of this bill they must show good faith; they must show that in the first six months after the permit was granted they have drilled 500 feet; they must show that within the two years they have drilled 2,000 feet. Under some of the permits issued they have spent \$250,000 or more and have not succeeded in finding oil, and in some of the fields with which I am acquainted some of the companies have withdrawn entirely; others are willing to go ahead and spend more money if we will permit them to do it, and the utmost good faith has been shown and will be required before the Secretary of the Interior will grant an extension.

Mr. BLANTON. Has the gentleman any knowledge of the origin of this bill?

Mr. COLTON. I have not, except that it comes from thoroughly reliable sources.

Mr. BLANTON. Who drew it?

Mr. DOUGLAS of Arizona. My friend, the Senator from Arizona [Mr. HAYDEN].

Mr. BLANTON. And the gentleman's colleague asked him to introduce it here, but who drew this bill?

Mr. DOUGLAS of Arizona. Senator HAYDEN of Arizona drew this bill just as he drew the bill which was introduced in 1926 and which was passed by this House.

Mr. BLANTON. I have such confidence in the Senator from Arizona [Mr. HAYDEN], Mr. Speaker, that I withdraw my reservation of objection. [Applause.]

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I want to suggest that when the gentleman from Texas comes to know this gentleman from Arizona [Mr. DOUGLAS], he will have similar confidence in him. [Applause.]

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any oil or gas prospecting permit issued under the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, or extended under the act entitled "An act to authorize the Secretary of the Interior to grant extensions of time under oil and gas permits, and for other purposes," approved January 11, 1922, and April 5, 1926, may be extended by the Secretary of the Interior for an additional period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to begin drilling operations or to drill wells of the depth and within the time required by existing law, and has failed to discover oil or gas, and desires to prosecute further exploration.

SEC. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any permit which has already expired because of lack of authority under existing law to make further extensions may be extended for a period of two years from the date of the passage of this act.

With the following committee amendments:

Page 1, line 9, after "1922," strike out the word "and" and insert the words "or as further extended under the act of."

Page 1, at the end of line 5, insert the words "or has drilled wells of the depth and within the time required by existing law."

The committee amendments were agreed to.

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

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

#### ADDITIONAL DUTIES OF TERRITORIAL OFFICERS OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 8284) to authorize the payment of amounts appropriated

by the Legislature of Alaska on account of additional duties imposed upon territorial officers.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I object.

DAM ACROSS THE KANSAS (KAW) RIVER AT LAWRENCE, KANS.

The next business on the Consent Calendar was the bill (H. R. 5569) relative to the dam across the Kansas (Kaw) River, at Lawrence, in Douglas County, Kans.

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

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I notice the report from the War Department directs attention to the jurisdiction of the Federal Power Commission. Has the gentleman given consideration to that?

Mr. DENISON. Mr. Speaker, the Secretary merely calls attention to the fact that it is under their jurisdiction. It has been given full consideration by the committee. This bill only authorizes repairing the dam. This dam was built back in 1872, before there was any Federal law governing such structures, and because of that fact they hold that this legislation is necessary.

Mr. CRAMTON. So it is not an increase in the structure?

Mr. DENISON. No; just a permit to repair the dam.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the assent of the United States be, and is hereby, given to the Bowersock Mill & Power Co., a partnership, owners of the Bowersock Dam, constructed across the Kansas (Kaw) River at Lawrence, Douglas, Kans., in 1872 and 1873, and to their successors and assigns, without further authority from the United States, to maintain the said dam and to repair and improve the same as provided in the order of the public service commission of the State of Kansas, issued on the 2d day of July, 1926, in accordance with the statutes of said State, and to maintain the said dam as repaired and improved with a permanent crest at 808 feet above sea level and flashboards at 812 feet above sea level, expressly reserving to the United States, however, the right to alter, amend, or repeal this act as the needs of navigation may hereafter require: *Provided, however,* That this act shall not have the effect of changing in any manner the liability of the owners of said dam for injury or damages to adjacent property.

With the following committee amendments:

Page 1, line 3, strike out the word "assent" and insert the word "consent" in lieu thereof.

Page 1, line 6, after the word "Douglas," insert the word "County."

The committee amendments were agreed to.

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

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

#### BRIDGE ACROSS THE OUACHITA RIVER AT HARRISONBURG, LA.

The next business on the Consent Calendar was the bill (H. R. 5727) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Harrisonburg, La.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. DENISON. Mr. Speaker, this bill is in the usual form, the standard form provided by the committee, and I ask unanimous consent that the bill may be considered as having been read, the committee amendments agreed to, the bill ordered to be engrossed and read the third time, read the third time, and passed, and a motion to reconsider laid on the table.

The SPEAKER pro tempore. Is there objection?

Mr. LUCE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois for some information. There are 70 bridge bills on this calendar if I have counted them correctly. My observation has been that a bridge bill is one of the rarest to arouse opposition in the House. What is the obstacle in the way of saving the time of the House by putting bridge bills into an omnibus bill as we do pension bills and claim bills?

Mr. DENISON. In reply to the gentleman I will say that it seems to the committee impracticable. We have 10 different forms for bridge bills, depending on the type of the bridge that is to be constructed. For instance, we have a form for a free bridge, one for a toll bridge, a different form for a railroad bridge, a different form for a bridge built by the public, like State, county, or municipality, a different form where a private company wants to build a bridge, a different form for an

individual, and also a form for an international bridge, a different form for an interstate and one for intrastate. I think it will be impractical to try to combine them in an omnibus bill.

Mr. LUCE. Where would be the difficulty in making 10 paragraphs in the bill? Does it not seem to the gentleman that some way could be devised to save having to go through this routine or motion 70 times?

Mr. DENISON. I have just suggested one way that we could save time. We now have a standard form for these various kinds of bridge bills, and we are asking that time may be saved by not reading them individually but passing them as rapidly as possible.

Mr. LA GUARDIA. Regular order!

The SPEAKER pro tempore. The regular order is called for. Is there objection to the request of the gentleman from Illinois? There was no objection.

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

The title was amended.

#### BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended were ordered to be engrossed and read the third time, were read the third time and passed, and a motion to reconsider was laid on the table:

H. R. 7199. A bill granting the consent of Congress to the Oregon-Washington Bridge Co. to maintain a bridge already constructed across Columbia River;

H. R. 7371. A bill granting the consent of Congress to the State of Idaho to construct, maintain, and operate a bridge across the Snake River near Heyburn, Idaho;

H. R. 7375. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across Tennessee River near Guntersville on the Guntersville-Huntsville road in Marshall County, Ala.;

H. R. 7902. A bill granting the consent of Congress to the State Highway Department of the State of Alabama to construct a bridge across the Coosa River near Wetumpka, Elmore County, Ala.; and

H. R. 7909. A bill to authorize the maintenance and renewal of a timber frame trestle in place of a fixed span at the Wisconsin end of the steel bridge of the Duluth & Superior Bridge Co. over the St. Louis River between the States of Wisconsin and Minnesota.

#### HOSPITAL AT DAYTON SOLDIERS' HOME

Mr. RANKIN. Mr. Speaker, a while ago there was an agreement to pass over H. R. 132 for 30 minutes. That time has passed, and I think the matter ought to be disposed of if it is going to be disposed of to-day.

Mr. CRAMTON. The gentleman alludes to the bill where we were trying to get some information from the Budget. We have been unable to do so up to this time.

Mr. BLANTON. But the gentleman from Mississippi has matters extraneous to the Budget.

Mr. CRAMTON. Well, the gentleman can offer those.

Mr. BLANTON. It might make the action of the Budget immaterial.

Mr. CRAMTON. Under the order of the House it was to go over until we got the information from the Budget.

Mr. RANKIN. I want to ask if the gentleman has any assurance that we are going to get a report from the Budget to-day?

Mr. CRAMTON. I anticipate so; yes.

Mr. RANKIN. Would not the gentleman from Michigan agree to have this bill passed over without prejudice until another day?

Mr. CRAMTON. I suggested that and there was some objection.

Mr. RANKIN. There is going to be considerable controversy over it in its present form. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROY G. FITZGERALD. I have no objection to that.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that this bill (H. R. 132) be passed over without prejudice. Is there objection?

There was no objection.

#### BRIDGE BILLS

The following bridge bills, with amendments, were severally considered, the amendments severally agreed to, and the bills as amended severally ordered to be engrossed and read a third time, were read the third time and passed; and motions to re-

consider the votes by which the bills were passed were severally laid on the table:

H. R. 7914. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tennessee River near Whitesburg Ferry on Huntsville-Lacey Springs road between Madison and Morgan Counties, Ala.;

H. R. 7915. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tennessee River near Scottsboro on the Scottsboro-Fort Payne road in Jackson County, Ala.;

H. R. 7925. A bill authorizing the maintenance of a bridge over the Monongahela River between the borough of Glassport and the city of Clairton, in the State of Pennsylvania;

H. R. 7948. A bill to extend the times for commencing and completing the construction of a bridge across the Delaware River;

H. R. 8530. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River, near Cedar Bluff in Cherokee County, Ala.;

H. R. 8531. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River on the Columbiana-Talladega road between Talladega and Shelby Counties, Ala.;

H. R. 8740. A bill granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a bridge across the Little Calumet in Cook County, State of Illinois;

H. R. 8743. A bill extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway;

H. R. 8818. A bill granting the consent of Congress to the Louisiana Highway Commission, its successors and assigns, to construct, maintain, and operate a bridge across the Red River at or near Moncla, La.;

H. R. 8896. A bill granting the consent of Congress to the State of Alabama to construct, maintain, and operate a bridge across the Conecuh River;

H. R. 8899. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River at or near Epes, Ala.; and

H. R. 8900. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River near Gainesville on the Gainesville-Eutaw road between Sumter and Greene Counties, Ala.

#### BRIDGE ACROSS MISSISSIPPI RIVER AT PRAIRIE DU CHIEN, WIS.

The next business on the Consent Calendar was the bill (H. R. 5818) granting the consent of Congress to J. H. Peacock, F. G. Bell, S. V. Taylor, E. C. Amann, and C. E. Ferris to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the bill as amended.

Mr. DENISON. I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN of Missouri: At the end of section 7 add the following: "Provided, That bonds or other securities issued against or based on the construction and revenues of said bridge and approaches will not exceed the actual cost of such construction and operation, economically made, plus a maximum of 10 per cent added thereto, and it shall be the duty of the Secretary of War, prior to the issue of any such bonds or other securities to determine the total thereof which may thus be issued."

Mr. COCHRAN of Missouri. Mr. Speaker, ladies, and gentlemen of the House, this is the first bill that has been reached where the consent of Congress is granted to individuals to construct a bridge.

For the benefit of the Members who did not hear my remarks this morning, I will say that the purpose of the amendment is to give protection to the individuals who buy the securities to make possible the building of the bridge. The bill gives protection to the city, county, and State, so far as the purchase of the bridge after completion is concerned. As the gentleman from Massachusetts [Mr. LUCE] stated to-day, there are over 70 bills on the calendar and about half of them grant the consent of Congress to individuals or corporations to build bridges.



The Secretary of War is called upon after the completion of the bridge to set a valuation on the structure, and it is done for the purpose of allowing the city, county, or State to buy the bridge if it so desires. Now, for example, suppose the Secretary of War, after the bridge is completed, places a valuation of a million dollars on the structure and bonds have been issued and sold to the value of \$1,500,000, the people who bought the bonds hold the bag for \$500,000. I want the value placed on the bridge prior to construction and limit the amount of securities that can be issued to that amount, plus 10 per cent, which should certainly satisfy the promoter and will at the same time protect the people who buy the bonds from inflation.

This does not mean the defeat of any of your bills on the calendar to-day. I want that distinctly understood. If my amendment is agreed to, you can proceed to pass the bills and add the amendment to all. If my amendment is defeated, I will abide by the decision of the House and not object to the consideration of the bills. I will, however, try to force a record vote. I feel that the same protection should be given to the individual who makes the building of the bridge possible before a bridge is erected as is given to the city, county, or State after the bridge is completed.

With this explanation, Mr. Speaker, I am ready for a vote on my amendment.

Mr. DENISON. Mr. Speaker, I do not want to add anything to what I said earlier in the afternoon with reference to the point raised by the gentleman from Missouri [Mr. COCHRAN]; but since I made those remarks I have received a telegram which I want to read to the House and insert in the RECORD, because I feel that when it is done the gentleman from Missouri will feel satisfied that his point has been fully met.

I stated in my remarks a while ago that the blue sky law of Missouri fully protects the people in regard to bridge securities sold in the State of Missouri. I sent a telegram out to the secretary of state of Missouri in order to be absolutely sure that my construction of their blue sky law was right. I made the statement that their blue sky law would protect their people in the cases the gentleman mentioned, but I wanted to be sure about that, and so I sent a telegram to the secretary of state, and I have received his answer, which is as follows:

JEFFERSON CITY, Mo., February 6, 1928.

E. E. DENISON,

Member of Congress, Washington, D. C.

Securities issued by private corporations for funds to construct bridges must be qualified under the securities act of this State before they can be sold.

F. T. STOCKARD, Commissioner.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. COCHRAN of Missouri. I received the same telegram, but this morning I read to the House a statement, and I told the gentleman from Illinois that I had secured that statement from a man who is constructing a bridge in my city to-day, in which he says that the bonds for the construction of his bridge were not subject to the blue sky law of our State. They were listed through the Chicago Stock Exchange, and I understand the blue sky law does not require direct application where stock or bond issue is listed on such an exchange. I read that statement this morning, and it comes from a gentleman who is constructing a bridge at this time.

Mr. DENISON. I sent this telegram on Saturday in order to find out the views of the State officials, and this telegram that I have received is from the State official charged with administering their blue sky law.

Mr. COCHRAN of Missouri. I have a telegram from a man who serves under the secretary of state. But I am citing the case of a man who is constructing a bridge and he says that the bonds for the construction of that bridge are not under the control of the blue sky law of my State, and that is the reason why I offered the amendment. If he had advised me otherwise I would not have offered the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. COCHRAN] to the committee amendment.

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

Mr. COCHRAN of Missouri. Mr. Speaker, I ask for a division.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 5, noes 75.

Mr. COCHRAN of Missouri. Mr. Speaker, I object to the vote. I make the point of no quorum.

Mr. CHINDBLOM. There was a large number who did not vote. Did the Chair count them?

The SPEAKER pro tempore. The Chair will count the Members present. [After counting.] One hundred and sixty-six gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment to the committee will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 18, nays 315, not voting 100, as follows:

[Roll No. 25]

YEAS—18

Black, Tex.  
Blanton  
Boylan  
Cannon  
Cochran, Mo.

Collins  
Connelly  
Cooper, Wis.  
Fitzpatrick  
Griffin

Johnson, Tex.  
LaGuardia  
McSwain  
Rainey  
Rankin

Schafer  
Schneider  
Underhill

NAYS—315

Abernethy  
Ackerman  
Adkins  
Aldrich  
Allen

Allgood  
Almon  
Arentz  
Arnold  
Aswell

Bacharach  
Bachmann  
Bankhead  
Barbour  
Beck, Wis.

Beers  
Begg  
Bell  
Berger  
Bland

Bloom  
Bowles  
Bowling  
Bowman  
Box

Brand, Ga.  
Brand, Ohio  
Briggs  
Brigham  
Browne

Browning  
Buchanan  
Bulwinkle  
Burdick  
Burness

Burton  
Busby  
Butler  
Byrns  
Canfield

Carss  
Carter  
Cartwright  
Casey  
Chalmers

Chapman  
Chase  
Chindblom  
Clague  
Clarke

Hill, Ala.  
Hill, Wash.  
Hoch  
Hoffman  
Hogg

Holaday  
Hooper  
Hoppe  
Houston, Del.  
Howard, Nebr.

Howard, Okla.  
Huddleston  
Hudson  
Hudspeth  
Hughes

Hull, Tenn.  
Hull, Morton D.  
Hull, William E.  
Irwin  
Jeffers

Jenkins  
Johnson, Ill.  
Johnson, Ind.  
Johnson, Okla.  
Johnson, Wash.

Jones  
Kading  
Kahn  
Keams  
Kelly

Andresen  
Andrew  
Anthony  
Auf der Heide  
Ayres

Bacon  
Beck, Pa.  
Beedy  
Black, N. Y.

Dyer  
Eaton  
Edwards  
Elliott  
England

Englebright  
Eslick  
Estep  
Evans, Calif.  
Evans, Mont.

Faust  
Fenn  
Fish  
Fisher  
Fitzgerald, Roy G.

Fitzgerald, W. T.  
Fletcher  
Fort  
Freeman  
French

Fulmer  
Furlow  
Gambrell  
Garber  
Gardner, Ind.

Garner, Tex.  
Garrett, Tenn.  
Garrett, Tex.  
Gasque  
Gibson

Goodwin  
Gregory  
Green, Fla.  
Greenwood  
Griest

Guyer  
Hadley  
Hall, Ill.  
Hall, Ind.  
Hall, N. Dak.

Hammer  
Hancock  
Hardy  
Hare  
Hastings

Haugen  
Hawley  
Hersey  
Hickey  
Hill, Ala.

Hill, Wash.  
Hoch  
Hoffman  
Hogg  
Holaday

Hooper  
Hoppe  
Houston, Del.  
Howard, Nebr.  
Howard, Okla.

Huddleston  
Hudson  
Hudspeth  
Hughes  
Hull, Tenn.

Hull, Morton D.  
Hull, William E.  
Irwin  
Jeffers  
Jenkins

Johnson, Ill.  
Johnson, Ind.  
Johnson, Okla.  
Johnson, Wash.  
Jones

Kading  
Kahn  
Keams  
Kelly  
Bohn

Boles  
Britten  
Buckbee  
Bushong  
Campbell

Carew  
Carley  
Celler

Kemp  
Kendall  
Kent  
Kerr  
Ketcham

Kiess  
Kincheloe  
King  
Kopp  
Korell

Kurtz  
Kvale  
Langley  
Lanham  
Lankford

Lea  
Leavitt  
Lehbach  
Letts  
Lindsay

Lithicum  
Lozier  
Luce  
Lyon  
McClintic

McDuffie  
McFadden  
McKeown  
McLaughlin  
McLeod

McMillan  
McReynolds  
MacGregor  
Maas  
Madden

Magrady  
Major, Ill.  
Major, Mo.  
Manlove  
Mansfield

Mapes  
Martin, La.  
Mead  
Menges  
Merritt

Michener  
Miller  
Milligan  
Monast  
Montague

Mooney  
Moore, Ky.  
Moore, Va.  
Moorman  
Morehead

Morin  
Morrow  
Murphy  
Nelson, Me.  
Nelson, Mo.

Nelson, Wis.  
Newton  
Niedringhaus  
Norton, Nebr.  
O'Brien

O'Connell  
O'Connor, La.  
Oldfield  
Oliver, Ala.  
Palmsano

Parker  
Peavey  
Peery  
Perkins  
Prall

Purnell  
Quayle  
Quin  
Ragon

Christopherson  
Clancy  
Connolly, Pa.  
Cooper, Ohio  
Curry

Dempsey  
Dickstein  
Douglass, Mass.  
Doutrich

Ramseyer  
Rathbone  
Rayburn  
Reed, N. Y.  
Reid, Ill.

Robinson, Iowa  
Robison, Ky.  
Rogers  
Rowbottom  
Rubey

Rutherford  
Sanders, N. Y.  
Sanders, Tex.  
Sandlin  
Sears, Fla.

Seger  
Selvig  
Shallenberger  
Simmons  
Sinclair

Sinnott  
Snell  
Somers, N. Y.  
Speaks  
Spearling

Sproul, Ill.  
Sproul, Kans.  
Steele  
Strong, Kans.  
Sullivan

Summers, Wash.  
Summers, Tex.  
Swank  
Swing  
Tarver

Tatgenhorst  
Taylor, Colo.  
Taylor, Tenn.  
Temple  
Thatcher

Thurston  
Tillman  
Tilson  
Timberlake  
Tinkham

Underwood  
Udike  
Vestal  
Vincent, Mich.  
Vinson, Ky.

Wainwright  
Ware  
Warren  
Wason  
Watres

Watson  
Weaver  
Welch, Calif.  
Welsh, Pa.  
White, Colo.

White, Kans.  
Whitehead  
Whittington  
Williams, Ill.  
Williams, Mo.

Williams, Tex.  
Wilson, La.  
Wilson, Miss.  
Winter  
Wolverton

Wood  
Woodruff  
Wright  
Wurkhach  
Wyant

Yates  
Yon  
Zihlman

Dowell  
Doyle  
Drewry  
Driver  
Foss

Frear  
Free  
Frothingham  
Fulbright

NOT VOTING—100

Gallivan	Kunz	Parks	Stevenson
Gifford	Lampert	Porter	Stobbs
Gilbert	Larsen	Pou	Strong, Pa.
Glynn	Leatherwood	Pratt	Strother
Golder	Leech	Ransley	Sweet
Goldsborough	Lowrey	Reece	Swick
Graham	McSweeney	Reed, Ark.	Taber
Green, Iowa	Martin, Mass.	Romjue	Thompson
Hale	Michaelson	Sabath	Treadway
Harrison	Moore, N. J.	Sears, Nebr.	Tucker
Igoe	Moore, Ohio	Shreve	Vinson, Ga.
Jacobstein	Morgan	Sirovich	Weller
James	Norton, N. J.	Smith	White, Me.
Johnson, S. Dak.	O'Connor, N. Y.	Stalker	Williamson
Kindred	Oliver, N. Y.	Stegall	Wingo
Knutson	Palmer	Stedman	Woodrum

So the amendment was rejected.

The Clerk announced the following pairs:  
Until further notice:

Mr. Green of Iowa with Mr. Pou.  
Mr. Treadway with Mr. Gallivan.  
Mr. Beck of Pennsylvania with Mr. Stevenson.  
Mr. Britten with Mr. Drewry.  
Mr. Connolly of Pennsylvania with Mr. Carew.  
Mr. Dowell with Mr. Kunz.  
Mr. Free with Mr. Weller.  
Mr. Gifford with Mr. Stedman.  
Mr. Sweet with Mr. Harrison.  
Mr. Shreve with Mr. Moore of New Jersey.  
Mr. Morgan with Mr. Parks.  
Mr. Stalker with Mr. Woodrum.  
Mr. Martin of Massachusetts with Mr. Gilbert.  
Mr. Swick with Mr. Sabath.  
Mr. Stobbs with Mr. Ayres.  
Mr. Ransley with Mr. Dickstein.  
Mr. Foss with Mr. Romjue.  
Mr. Strong of Pennsylvania with Mr. Black of New York.  
Mr. Curry with Mr. Steagall.  
Mr. Porter with Mr. Tucker.  
Mr. Moore of Ohio with Mr. Fulbright.  
Mr. Clancy with Mr. Wingo.  
Mr. Johnson of South Dakota with Mr. Carley.  
Mr. Anthony with Mr. Doyle.  
Mr. Bacon with Mr. Celler.  
Mr. Lampert with Mr. Vinson of Georgia.  
Mr. White of Maine with Mr. Kindred.  
Mr. Cooper of Ohio with Mr. Lowry.  
Mr. Dontrich with Mr. Douglass of Massachusetts.  
Mr. Knutson with Mr. Auf der Heide.  
Mr. Parker with Mr. Sirovich.  
Mr. Reece with Mr. Driver.  
Mr. Smith with Mr. Larsen.  
Mr. Taber with Mr. O'Connor of New York.  
Mr. Graham with Mrs. Norton.  
Mr. Frothingham with Mr. Oliver of New York.  
Mr. Palmer with Mr. Igoe.  
Mr. Frear with Mr. Jacobstein.  
Mr. Dempsey with Mr. McSweeney.  
Mr. Campbell with Mr. Goldsborough.

The result of the vote was announced as above recorded.

The committee amendment was agreed to.

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

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

#### HOSPITAL AT DAYTON SOLDIERS' HOME

Mr. HOWARD of Nebraska. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HOWARD of Nebraska. I rise for a parliamentary purpose. It seems that earlier in the day the Speaker announced that a certain bill would be held in abeyance for 30 minutes while somebody was going out to find out what the Director of the Bureau of the Budget thought about it. Now, the 30 minutes have expired, and when it comes to a problem of building hospitals for soldiers, who are confined in a building which is admittedly a fire trap, I am not in favor of waiting even 30 minutes for the Director of the Bureau of the Budget to report. I would like to have that report now, according to the order of the House.

The SPEAKER pro tempore. The Chair will inform the gentleman that during his absence unanimous consent was granted that that bill be passed over without prejudice.

Mr. BLANTON. Mr. Speaker, would it be in order for us to ascertain whether there will be any suspensions this afternoon?

The SPEAKER pro tempore. The Chair at the present time does not know of any.

#### BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed, and a motion to reconsider laid on the table:

H. R. 8837. A bill granting the consent of Congress to the American Bridge & Ferry Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 8726. A bill granting the consent of Congress to Oscar Baertch, Christ Buhmann, and Fred Reiter, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 449. A bill granting the consent of Congress to the Louisiana Highway Commission, its successors and assigns, to construct, maintain, and operate a bridge across the Atchafalaya River; and

H. R. 5501. A bill granting the consent of Congress to the Hermann Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River.

#### BRIDGE ACROSS THE OHIO RIVER

The next business on the Consent Calendar was the bill (H. R. 472) granting the consent of Congress to Dwight P. Robinson & Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River.

The Clerk read the title of the bill.

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

Mr. BRAND of Ohio. Mr. Speaker, I object.

Mr. VINSON of Kentucky. Will the gentleman withhold his objection?

Mr. BRAND of Ohio. I will.

Mr. VINSON of Kentucky. Mr. Speaker, the bill to which objection has been made is H. R. 472, granting Dwight P. Robinson & Co. the right to build a bridge between Maysville, Ky., and Aberdeen, Ohio. I certainly hope that the reservation of objection will be withdrawn. I would like to state that at the last session of Congress such a bill, together with a bill introduced by the gentleman from Ohio [Mr. KEARNS], passed the House by unanimous consent, but failed of passage in the Senate. So far as the gentleman from Ohio [Mr. KEARNS] and myself are concerned there is no difference of opinion at this time. Neither will submit an objection to the bill of the other. My bill held first position on the calendar last year. He did not object to my bill and I did not object to his bill. The bill which follows H. R. 472 on this calendar is a bill which was introduced by the gentleman from Ohio [Mr. KEARNS] granting permission to the Maysville Bridge Co. to construct a bridge across the Ohio River between Maysville, Ky., and Aberdeen, Ohio, the same points. It has been stated upon several occasions that the Kearns bill, or the Maysville Bridge Co. bill, is a combination bill in that it permits the building of a bridge for railroad and vehicular purposes, but I state that the bill which comes before us for consideration (H. R. 437) does not contain the combination feature. It is in identic language, so far as power is concerned, with the bill which is under consideration at this time.

Mr. KEARNS. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. KEARNS. It is true that the committee did amend my bill so that it destroyed the combination feature of the bill, but that did not come to my attention until this morning. I have now seen the gentleman from Illinois [Mr. DENISON] and he has prepared an amendment which will make my bill a combination bill—that is, it will provide for a railroad and vehicular bridge.

Mr. VINSON of Kentucky. If I recall correctly, at the last session of Congress it was the position of the gentleman from Ohio that a bill granting the right to construct a bridge across the Ohio River carried with it the right to build a combination bridge.

Mr. KEARNS. That was my position, because I was told that by members of the Interstate and Foreign Commerce Committee.

Mr. VINSON of Kentucky. If that is the condition I submit that H. R. 472, the bill under discussion now, would be inclusive of the right to build a combination bridge.

Mr. KEARNS. But your company, if the gentleman will permit, does not intend and would not build a combination bridge; that is, a railroad and vehicular bridge.

Mr. VINSON of Kentucky. I think the gentleman goes a trifle far because my understanding is that the gentlemen who seek the permit under my bill would build a combination bridge if the matter were submitted to them in substantial form.

Mr. KEARNS. Why do they not then introduce such a bill?

Mr. VINSON of Kentucky. Because the gentleman last year took the position that an ordinary bridge bill included the right to build a vehicular bridge. I do not take the position that these people under this bill intend to build a combination bridge. My statement was that if the matter was presented to them in substantial form I felt certain they would be glad to listen to it. They are one of the largest bridge constructors



in this country and would be glad to construct any bridge that economic conditions justify.

Mr. KEARNS. What does the gentleman mean by "substantial form"?

Mr. VINSON of Kentucky. Oh, substance rather than dreams; realities rather than visions.

Mr. KEARNS. They claim now they want a vehicular bridge and nothing else.

Mr. VINSON of Kentucky. That is what they seek under this bill.

Mr. KEARNS. The Maysville Bridge Co. declare they want to build a combination bridge and have introduced such a bill.

Mr. VINSON of Kentucky. Their bill is identical in language with the bill before us, if the committee amendment was agreed to.

Mr. KEARNS. I understand that, but the bill was introduced for a combined bridge; and the committee, without my knowing anything about it, struck out the railroad part of it and made it a vehicular bridge.

Mr. VINSON of Kentucky. Would the gentleman from Ohio want a bill to pass Congress permitting the construction of a combined bridge between these two points with a recapture clause in it? That is what you have in this bill under consideration now.

Mr. KEARNS. But it is going to be amended on the floor of the House.

Mr. VINSON of Kentucky. The bill which the gentleman introduced had a recapture clause in it.

Mr. KEARNS. The bill I introduced provided for a combination bridge.

Mr. VINSON of Kentucky. And carried a recapture clause.

Mr. KEARNS. The committee struck out the combined-bridge language and did not amend it properly. This was all done without my knowledge.

Mr. VINSON of Kentucky. I would like to say to the House I have not opposed the bill of the gentleman from Ohio [Mr. KEARNS] either in the last session or now.

Mr. KEARNS. I did not oppose the gentleman's bill. But since the gentleman from Kentucky has drawn me into this controversy, I must say that it is apparent to me that a combined bridge would better serve the people than would a single bridge.

Mr. VINSON of Kentucky. I do not see how I have drawn you into controversy. I am not opposing it, but it seems to me that, in view of the splendid utterances of the gentleman from Illinois [Mr. DENISON], heard upon the floor of this Congress when he said there should be no monopoly, there should be no exclusive rights given to any individual or any corporation in order that they might go around and barter and sell such rights; we should take heed and not permit a monopoly and an exclusive right to come from this Congress to-day. I only desire the passage of both bills.

Mr. ROY G. FITZGERALD. Will the gentleman yield?

Mr. VINSON of Kentucky. I am glad to yield to the gentleman from Ohio.

Mr. ROY G. FITZGERALD. Mr. Speaker, I have no particular interest in the matter except as it involves an opportunity to open a great market for Kentucky coal in my own State and through to the lake ports. I understand we have before us two bills, both to build bridges across the Ohio River at the same point, one, H. R. 472, by my friend from Kentucky, providing a vehicular bridge only, and the other bill, H. R. 437, by Mr. KEARNS, introduced for a combined vehicular and railroad bridge, which would bring about railroad facilities by which we can market more of Kentucky's coal through Ohio and to the world. For this reason I was interested in the railroad feature of the bridge. I was told that if the present bill, H. R. 472, now before the House were passed it would end all opportunity of getting a railroad bridge. I was called on the phone by my good friend from Kentucky, who said, when I told him this, that it was a bluff. I then said to these gentlemen who were asking that the subsequent bill to this, H. R. 437, only be passed—that is, the one introduced by my friend the gentleman from Ohio [Mr. KEARNS]—to get proof of that fact, and I have been furnished with an affidavit quoting from the contract by which the combination bridge will be built, and I ask unanimous consent to put this statement in the RECORD, for it indicates that this bridge provided under the bill H. R. 437, introduced by my friend the gentleman from Ohio, which is the next bill on the calendar, had as its original purpose and will have as it will be amended a railroad bridge, and that the money for the building of this bridge is assured if no other bill providing for a bridge at this point, Maysville, Ky., passes this House; and, further, that in accordance with the ideas of my good friend the gentleman from Missouri [Mr. COCHRAN] in regard to bridge

construction, this bridge will be built without there being put on the market any sort of securities which will violate any blue sky law, but the money sufficient to build the bridge will be furnished by the persons entering into this contract, and who are able to do so.

Mr. VINSON of Kentucky. At that point will the gentleman permit an interruption?

Mr. ROY G. FITZGERALD. In just a moment. If this bill, H. R. 472, is not passed, which we now have before us, and the next bill, H. R. 437, is passed, which provides for a railroad bridge, the money can be furnished, the bridge can be built; and we can not get any bridge if we pass both of these bills.

I now yield to the gentleman from Kentucky.

Mr. BRAND of Ohio. Mr. Speaker, I do not feel like yielding further.

Mr. VINSON of Kentucky. I certainly trust the gentleman will permit an answer to the statement of his colleague.

Mr. BRAND of Ohio. I yield for a short statement.

Mr. VINSON of Kentucky. I state that the gentleman from Ohio [Mr. ROY G. FITZGERALD] did not quote me correctly in stating I said it was a bluff. I said they had sketches that could be viewed by the public showing that the bridge contemplated was a two-bridged affair; that they had made public statements in the press that the railroad end of the bridge would await a railroad constructed to it; and I submitted to the gentleman, as I recall it, that any railroad proposition was standing on mighty flimsy foundation that would not be constructed to serve as a common carrier unless they could not get the vehicular privileges attendant upon a combination bridge across the Ohio River. I still take that position. The Lord knows I would not lift my hand or lift my voice to put an obstacle in the way of moving Kentucky coal, because I know the condition in the Kentucky coal field. Our trouble has been, and is, that certain sections of Ohio have not wanted us to move our coal. However, there is no trouble about our getting Kentucky coal to Ohio and the lake cargo market on the road already built to carry this coal. It is a far cry—relief for our coal industry by constructing a vehicular bridge and wishing for a railroad to tack on to it—87 miles of railroad at that.

Mr. ROY G. FITZGERALD. We are agreed in our aim to do nothing to injure the coal industry of Kentucky. I ask unanimous consent, Mr. Speaker, to insert the affidavit to which I have referred in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The matter referred to follows:

Personally appeared before me, the undersigned, a notary public in and for the District of Columbia, J. M. Wilson, who, after being duly sworn, says that the following extracts taken from the contract entered into by and between Edward Ball, of Jacksonville, Fla., and Wilmington, Del., the said Edward Ball being the brother-in-law of Alfred I. du Pont, of the same cities, and the said Alfred I. du Pont in reality being the principal in this transaction:

"Whereas bills have been introduced in both Houses of Congress authorizing said company, its successors and assigns, to construct, maintain, and operate a combined railroad and vehicle bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation between Maysville, Ky., and Aberdeen, Ohio; and

"Whereas parties of the first part are desirous of financing the building of such bridge; and

"Whereas parties of the second part are connected and associated with Alfred I. du Pont interest and may thereby be in a position to finance such construction; and

"Whereas by resolution duly adopted by all of the stockholders of said corporation, a copy of which is hereto attached, said company, for good and valuable considerations therein stated, has contracted with parties of the first part to give said parties of the first part, their successors and assigns, a right within 10 years to lease the railroad facilities and approaches of said bridge for a term of 99 years unless sooner terminated as in the contract provided, and for the further term of 99 years and forever thereafter upon like terms and conditions."

That the entire cost of the said structure including the engineering plans and real estate upon which said bridge and its approaches are located are to be capitalized in the senior securities of the said company, all of which it is agreed shall be taken and the money furnished by said Alfred I. du Pont interest.

That no stock has been sold or offered to the public to aid in the financing of the said bridge and its approaches, excepting that taken by the original organizers and promoters of said The Maysville Bridge Co.

Other conditions existing in said contract are as follows:

"PARAGRAPH 1, SECTION (a). That Congress during its present session will authorize said company to build such bridge and will not during

such session authorize the building of any other bridge across the Ohio River at or in the vicinity of Maysville.

"PAR. 2. The party of the second part agrees that within 90 days after the passage of such act, authorizing said company to construct such bridge, and in the absence of any act authorizing any other bridge over the Ohio River at Maysville, or within 10 miles of Maysville."

Signed and acknowledged in the presence of Fred R. Miller, a notary public in and for the District of Columbia this 4th day of February, 1928.

J. M. WILSON,

*Vice President and Manager The Maysville Bridge Co.*

Witnesses:

A. D. HART

FRED R. MILLER

Subscribed and sworn to before me this 4th day of February, 1928.

[SEAL.]

FRED R. MILLER,

*Notary Public, District of Columbia.*

Mr. VINSON of Kentucky. Upon examination of the affidavit of Mr. Wilson submitted by the gentleman from Ohio [Mr. ROY T. FITZGERALD], it is apparent that the stunt of "now you see it and now you do not see it" is again utilized by Mr. Wilson in an endeavor to maintain his position that the railroad proposition is financed and the construction of the combined bridge certain.

It is well that the affidavit sets forth that it contains "extracts," for the reason that it is difficult indeed to ascertain what it means. Apparently, it is a contract entered into between a gentleman by the name of Edward Ball and the Maysville Bridge Co. It is suggested that Mr. Ball has some connection with the Alfred I. du Pont interests "and may thereby be in position to finance such construction."

But, Mr. Speaker and Members of the House, I direct your attention to the absence of any portion of the contract which squints at an agreement to finance or to build a combination bridge at this point. One section of the "extracts" purports to show that Mr. Ball has the option to lease "the railroad facilities and approaches of said bridge" within 10 years, presumably dating from the completion of the bridge. As hereafter set forth, it is unequivocally stated that the railroad portion of the bridge will not be constructed until a railroad may be had to use it. In fact, it would be economic folly to construct a complete railroad bridge unless the railroad which it would serve were financed and constructed. In our construction of this "extract," we define "the railroad facilities" to which reference is made as being the enlarged piers and the enlarged truss contemplated to be constructed and used in the vehicular bridge until they might be needed for the railroad.

That section of the affidavit which states that the cost of the structure shall be capitalized in the senior securities of the Maysville Bridge Co., to be taken over by the du Pont interests, is not a quotation from the contract nor does it refer to the construction of a railroad bridge or a combination railroad and vehicular bridge. It is strange that only such "extracts" are contained in the affidavit as throw no light upon the essential points involved; that is, the fact that a financing arrangement has been agreed upon, together with the type of bridge to be constructed. Truly, it is significant that there is no word in this affidavit indicative of the financing of the railroad which would make the combined bridge of any interest to that territory.

There are some splendid gentlemen living in Maysville who are financially interested in the Maysville Bridge Co. proposition. When I say that they are gentlemen I mean all that the words "Kentucky gentlemen" can imply. They have told me of the arrangement with Mr. Ball; they have printed their position in the press of Maysville, and I state that it is not proposed by them to construct a complete combination railroad and vehicular bridge unless and until they are able to finance a railroad to join that bridge.

At the last session there was not the slightest doubt in my mind that the proposal for a railroad there was a vision without financial support, but even then I did not choose to assume to be the final judge. There was no disturbance of any kind when the two bills passed the House. It was under unanimous consent agreement. When the bills went to the Senate, I journeyed many times to the other end of the Capitol in the effort to get both bills through so they could become law.

Since the last session and in the late fall, in the persons of some gentlemen in Kentucky, the bill secured some added backing. When I introduced the bill last session I had never heard of Mr. Wilson or the combination bridge feature which cause he espoused. When I reintroduced this bill, H. R. 472, at this session I had received no information that there was any change in the status of the Wilson dream.

I do not hesitate to state that the Wilson proposition had more substance in it at the beginning of this session than it had last session, in my mind, but from what has been said by the president of the company himself I can not permit it to go uncontradicted, even though stated by a Member of the House, that railroads would be carrying coal across the Ohio River at this point.

In the first place, there is no connecting railroad on the Ohio side. It is proposed that in some way or other there will be 87 miles of road constructed to Dayton, Ohio, the home of the distinguished gentleman from Ohio [Mr. ROY T. FITZGERALD]. In this day of discontinuance of railroads, several hundred miles having been abandoned the past few years—15 or 20 miles between Ripley and Georgetown, Ohio, in the Ohio territory proposed to be served by the phantom route—no proponent of this measure but would agree that the financing of that railroad would be quite a problem. It is not stated that the railroad has been financed. Mr. Horace J. Cochran is president of the Maysville Bridge Co. There is no higher-type gentleman in Kentucky than he. He makes no effort to deceive. It is not his nature. In an advertisement which comes out in the local press at Maysville this statement is carried over the signature of the Maysville Bridge Co.:

We do not propose to complete the railway part of this combination bridge at once. We will complete the vehicular traffic and foot passage parts, and will construct the bridge so as to sustain the weight of a standard railway when it is laid.

Sketches of the proposed bridge show that the vehicular bridge is one thing and the railroad bridge another. As I understand it, it is proposed to make the center piers stronger, so that it will bear the weight of the railroad bridge when it shall be constructed; and, as I understand it, it is contemplated to make the truss which rests on this center pier larger and stronger to the same end; but it is not proposed to build the railroad part of this bridge unless and until a railroad be constructed to it. It is absurd to say that the permit for a vehicular bridge will prevent the construction of a railroad.

I want to make this statement so that my position may be made clear. I have never opposed the Maysville Bridge Co. bill. I am not opposing it now. I am dealing with it as a vehicular bridge with the possibility of it blossoming into a combination bridge. It is certainly strange that an ordinary vehicular bridge bill found its way into the hopper at the last session. Then, it was claimed, that "any kind of a bridge can be built under that bill." At this session, the usual form for a combination bridge bill was not used and when it comes upon the floor to-day it is an ordinary vehicular bridge bill.

The statement from the Maysville Bridge Co. itself is unequivocal in its language that the railroad feature awaits the railroad. Here is my position: I am favoring the passage of the Maysville Bridge Co. bill. I have never opposed it. At the same time I have been endeavoring to follow the general policy laid down by Congress that no bona fide offer to build a bridge that will be of service to a great community will be rejected to the end that monopolies or exclusive privileges will be granted any individual or any corporation. The Maysville people and that vicinity deserve a bridge at that point, and if the adherents of the Maysville Bridge Co. will show me in the contract to which reference has been made and extracts printed therefrom, that the du Pont interests have agreed to finance and construct a complete combination bridge and approaches suitable for a railroad at this point, upon which trains can run, I will not only be glad to assist in the passage of H. R. 437, the Maysville Bridge Co. bill, as I am willing to do now, but I will withdraw my bill from consideration.

However, if they do not choose to give me the assurance that the complete railroad bridge and its approaches are to be constructed in fact rather than be sketched on paper—to await the financing of a railroad 87 miles long, I feel my position is thoroughly justified in my desire to see both bills pass the Congress.

I sincerely trust that the gentleman from Ohio [Mr. BRAND] will not object to the present consideration of this bill.

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

Mr. BRAND of Ohio. I object.

The next business on the Consent Calendar was the bill (H. R. 437) granting the consent of Congress to the Maysville Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River.

The Clerk read the title of the bill.

Mr. LYON. Mr. Speaker, I object.

Mr. VINSON of Kentucky. I hope the gentleman from North Carolina will withhold his objection a moment.



Mr. LYON. Mr. Speaker, I reserve the right to object.

Mr. VINSON of Kentucky. This bill has been referred to by its sponsors as a combination bridge bill. It has been stated that it is the purpose to construct a railroad and vehicular bridge under the permit herein sought. However, this bill has no combination bridge features in it. As it reads this moment it is an ordinary vehicular bridge bill. In this respect it is identical with the bill for a permit which I introduced, to which objection has just been heard. I understand it is the intention of the gentleman from Illinois [Mr. DENISON] to amend the bill in such manner as that a combination bridge bill will be created.

Mr. DENISON. Let me say that we have a different form for a combination bridge and railway bridge. This bill was amended by the committee, but by oversight we failed to make that provision. It was the committee's intention to offer a proper amendment to cure the error mentioned and make it a combination railroad and highway bridge.

Mr. VINSON of Kentucky. I respectfully submit that the language contained in the original bill introduced by the gentleman from Ohio [Mr. KEARNS], though it contained the language "a combined railroad and vehicular bridge," does not meet the requirements of your committee relative to bills to secure permit for the construction of a combined railroad and vehicular bridge.

I would like to call the attention of the gentleman from Illinois [Mr. DENISON] to the recapture clause of the bill under discussion.

Section 4 of this bill does not provide in terms for the recapture of the bridge. That portion of section 4 to which I refer reads as follows:

Sec. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Kentucky, the State of Ohio, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in real property necessary therefor, by purchase or by condemnation, or expropriation, in accordance with the laws of either of such States governing the acquisition or expropriation.

It is apparent from the reading of this language that there is no right of recapture of the bridge and the approaches that is carried in bills of this character. I submit that the words "such bridge and its approaches and any interest in" should be inserted after the word "in," which is found in line 7, page 7, of H. R. 437.

If the bill is to pass, I submit that it should carefully safeguard the right of recapture afforded to the people under the general policy laid down by the distinguished gentleman from Illinois [Mr. DENISON]. As I stated in my reservation, I do not oppose the bill under consideration and I trust there will be no objection to it.

The SPEAKER pro tempore. Is there objection?

Mr. LYON. I object.

#### BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed, and a motion to reconsider laid on the table:

H. R. 66. A bill granting the consent of Congress to B. L. Hendrix, G. C. Trammel, and C. S. Miller, their successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 121. A bill granting the consent of Congress to the Cairo Association of Commerce, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 5502. A bill granting the consent of Congress to the Washington Missouri River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 5679. A bill granting the consent of Congress to the Iowa-Nebraska Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 5721. A bill granting the consent of Congress to E. M. Elliott & Associate (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 5803. A bill granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing; and

H. R. 6073. A bill granting a permit to construct a bridge over the Ohio River at Ravenswood, W. Va.

Mr. DENISON. Mr. Speaker, I want to save time as much as possible, if I can, for the Members of the House. That is the only interest I have. All the bills on the next page of the

calendar, beginning at 177 and running down to 193, are bridge bills that have been considered by the committee and amended to conform with the regular forms agreed upon, and if there is no objection I will make a request that these bills be considered as having been read, the committee amendments agreed to, engrossed and read a third time, and passed. I am sure there is no objection to any of them that I know of.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. LaGUARDIA. Reserving the right to object, and I shall not object if a motion to reconsider is not made until to-morrow, so that any Member if caught unaware can raise the point to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

The following bridge bills were severally considered, the committee amendments agreed to, the bills ordered to be engrossed and read a third time, read the third time, and passed.

H. R. 6476. A bill granting the consent of Congress to Wabasha Bridge Committee, Wabasha, Minn., to construct, maintain, and operate a bridge across the Mississippi River at Wabasha, Minn.;

H. R. 6487. A bill granting the consent of Congress to the Baton Rouge-Mississippi River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at Baton Rouge, La.;

H. R. 6639. A bill granting the consent of Congress to the Centennial Bridge Co., of Independence, Mo. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 6973. A bill granting the consent of Congress to E. H. Wegener, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Chester, Ill.;

H. R. 7032. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7033. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7034. A bill granting the consent of Congress to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7035. A bill granting the consent of Congress to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River;

H. R. 7036. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River;

H. R. 7183. A bill granting the consent of Congress to C. J. Abbott, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 7184. A bill granting the consent of Congress to J. L. Rowan, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 7916. A bill granting the consent of Congress to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Madison, Jefferson County, Ind.;

H. R. 7921. A bill granting the consent of Congress to A. Robbins, of Hickman, Ky., his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 8106. A bill granting the consent of Congress to F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 8107. A bill granting the consent of Congress to Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 8227. A bill granting the consent of Congress to the Sunbury Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Susquehanna River from Bainbridge Street, in the city of Sunbury, Pa.; and

H. R. 8741. A bill granting the consent of Congress to the Dravo Contracting Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Chester, Ill.

## ADDITIONAL JUDGES, SOUTHERN DISTRICT OF NEW YORK

The next business on the Consent Calendar was the bill (H. R. 9200), to provide for the appointment of three additional judges of the District Court of the United States for the Southern District of New York.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

## ADDITIONAL JUDGE, EASTERN DISTRICT OF NEW YORK

The next business on the Consent Calendar was the bill (H. R. 5774) to provide for the appointment of an additional judge of the District Court of the United States for the Eastern District of New York.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

## RELIEF OF VICTIMS, AIRPLANE ACCIDENT, LANGIN FIELD, W. VA.

The next business on the Consent Calendar was the bill (H. R. 482) to provide relief for the victims of the airplane accident at Langin Field, Moundsville, W. Va.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to make a thorough investigation of the merits of the claims which have been submitted to the War Department in writing, and which may be so submitted within six months after the date of this act, for compensation for property damage, death, or personal injury alleged to have been caused by the airplane accident at Langin Field, Moundsville, W. Va., on July 10, 1921, and to transmit each such claim with supporting papers and a report of his finding of facts and recommendations thereon to the Comptroller General of the United States for submission to the Congress with his recommendations thereon: *Provided*, That claims on account of disability or death resulting from personal injury sustained in said accident by persons not officers or employees of the United States shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual killed or injured were an employee of the United States: *Provided further*, That the report to be made hereunder shall contain a brief statement of the character and justice of each claim so certified, the amount claimed, and the amount found due.

With the following committee amendment:

Page 1, line 6, after the word "writing" strike out "and which may be so submitted within six months after the date of this act."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

## RIGHT OF WAY, IMPERIAL COUNTY, CALIF.

The next business on the Consent Calendar was the bill (H. R. 5686) granting a right of way to the county of Imperial, State of California, over certain public lands, for highway purposes.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have an amendment providing that the land shall be ceded back to the United States when it shall cease to be used as a public highway, and if there is no objection to that I shall not object to the consideration of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby is, authorized, subject to valid existing adverse rights, to grant to the county of Imperial, State of California, for use as a public highway all the right, title, and interest of the United States of America in and to all or any of the following-described property, situated in

the county of Imperial, State of California, being 80 feet in width and lying 40 feet northerly and southerly of and parallel with the following-described center line:

Beginning at the common corner of sections 1, 2, 11, and 12, of township 17 south, range 16 east, San Bernardino base and meridian; thence easterly along the section line between sections 1 and 12 of township 17 south, range 16 east, and between sections 6 and 7, 5 and 8, 4 and 9, 3 and 10, 2 and 11, and 1 and 12, of township 17 south, range 17 east, and along the southerly line of sections 6, 5, and 4 of township 17 south, range 18 east, San Bernardino base and meridian, to a point in the southerly line of the last-mentioned section 4, which point is 828.42 feet westerly of the southeast corner of said section; thence northeasterly around a circular curve, having a radius of 2,000 feet concave to the northwest, a distance of 1,570.80 feet to a point; thence north 45° east, 5,810.17 feet to a point; thence northeasterly around a circular curve having a radius of 2,000 feet concave to the southeast, a distance of 1,570.80 feet to a point in the northerly line of section 2, township 17 south, range 18 east, San Bernardino base and meridian, which point is 828.42 feet easterly of the northwest corner of the last-mentioned section 2; thence easterly along the northerly line of sections 1 and 2, township 17 south, range 18 east, San Bernardino base and meridian, to its intersection with the center line of the California State highway extending from Holtville, Calif., to Yuma, Ariz.: *Provided*, That the Secretary of the Interior be, and he hereby is, authorized, as a condition precedent to the granting of said parcels of land for the purposes herein specified, to prescribe such conditions, to impose such limitations and reservations and to require such bonds or undertakings as he may deem necessary in order to protect valid existing rights in and to said lands, including reclamation and public water reserve purposes.

With the following committee amendment:

Page 3, line 12, after the word "purposes," insert a colon and the words: "*Provided further*, That the grant herein made shall not apply to the southwest quarter, section 1, township 17 south, range 16 east, San Bernardino meridian."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 3, after line 15, insert the following new section:

"SEC. 2. That the land herein treated shall revert back to the United States when same shall cease to be used as a public highway."

The amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

## TO CONSOLIDATE COPYRIGHT ACT

The next business on the Consent Calendar was the bill (H. R. 6104) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909.

The Clerk read the title of the bill.

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

Mr. BOYLAN. Mr. Speaker, I object.

## CONSTRUCTION AT FORT LEAVENWORTH, KANS.

The next business on the Consent Calendar was the bill (H. R. 9567) to authorize appropriations for construction at Fort Leavenworth, Kans., and for other purposes.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, is there anyone here from the Committee on Military Affairs?

Mr. CRAMTON. Mr. Speaker, I had some discussion with my colleague from Michigan [Mr. JAMES] about this bill, and perhaps I can answer any question that is suggested.

Mr. LAGUARDIA. I shall object for the present.

Mr. CRAMTON. Mr. Speaker, I ask the gentleman to reserve his objection. My colleague from Michigan [Mr. JAMES] had to return to the hospital, and he asked me to answer any questions that I could.

Mr. LAGUARDIA. It is a matter of policy. This authorizes an appropriation of \$120,000. It is the first time that it is on the Consent Calendar, and I think I shall object.

Mr. CRAMTON. I have an amendment that I think might meet the view of the gentleman from New York. The gentleman will note that the bill was introduced by the gentleman from Kansas [Mr. ANTHONY], and because of illness he is not able to be here. The form in which it is presented is almost an appropriation. I have an amendment which Mr. JAMES says is agreeable to him, which will limit the authorization to



\$120,000 by inserting the words "not more than" and by striking out the items, so that all of it would have to be examined by the Budget and be approved and come through in the regular way.

Mr. LAGUARDIA. What does the gentleman say about the words "as in the judgment of the Secretary of War"?

Mr. CRAMTON. I have proposed to strike them out.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. With the understanding that these amendments will be offered, I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, \$120,000, to be expended for the construction and installation at Fort Leavenworth, Kans., of technical buildings and such utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary, as follows: One hangar, \$40,000; field warehouse and shop, \$45,000; headquarters building, \$20,000; gasoline and oil storage, \$5,000; night-flying lighting system, \$10,000.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 1, line 5, before the figures "\$120,000," insert the words "not more than"; and on page 1, line 10, after the word "thereto," strike out the remainder of the paragraph.

The SPEAKER pro tempore. The question is on agreeing to the amendments.

The amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

#### CONVENTION OF UNITED SPANISH WAR VETERANS IN HABANA, CUBA

The next business on the Consent Calendar was the bill (H. R. 7908) to authorize the granting of leave to ex-service men and women to attend the annual convention of the United Spanish War Veterans and auxiliary in Habana, Cuba, in 1928.

The title of the bill was read.

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

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, it is very difficult to object to this type of bills, but there must be some consideration shown to the Treasury and to the Government's interests. The only precedent for this bill was similar action with reference to the Legion meeting in Paris. That is an entirely different situation, however. The distance and all is much greater in that case. No more time and expense are involved in going to Habana than in going to Houston, Tex., or to San Francisco. I do not believe that the precedent established in the Paris convention ought to be extended further. To grant leave of 60 days may result in a good deal of embarrassment to the public business. I therefore feel that it is my duty to object.

The SPEAKER pro tempore. Is there objection?

Mr. LEAVITT. Mr. Speaker, I hope the gentleman will not object to this bill, for this reason: The year 1928 is the thirtieth anniversary of the Spanish-American War, so far as it had to do with us. Not very many veterans of that war desire to go to Cuba to take part in the encampment, which probably will not be duplicated until some other anniversary, perhaps the fiftieth anniversary; and with the precedent established in regard to the American Legion it seems to me to be rather a direct step contrary to the feelings of the veterans of the Spanish War to have an objection raised and an apparent exception made.

Mr. LAGUARDIA. It is my understanding that the veterans can accumulate time. The bill says:

This statute shall not be construed to modify the provisions of the act approved March 3, 1893, the act approved May 23, 1908, and the act approved February 28, 1925, limiting the annual leave which may be granted with pay to 15 or 30 days in any one year, except that any portion of the 15 or 30 days' leave not granted or used during the calendar year 1927, or the fiscal year 1928, may be allowed to accumulate and be pyramided for the purpose herein specified in addition to the 15 or 30 days' leave with pay in the calendar year 1928 or the fiscal year 1929.

Mr. LEAVITT. Of course, this bill was introduced in 1927, and the fiscal year 1927 has gone by.

Mr. LAGUARDIA. I understand the purpose of this bill is to permit men to accumulate their leave for the purpose of allowing them to go to Cuba.

Mr. CRAMTON. The way the laws reads, then, is that a man in the Government service now is entitled to 30 days, and under this bill he is entitled to 60 days. He has no accumulated leave from the past.

Mr. LAGUARDIA. But suppose it is 1929?

Mr. CRAMTON. By this provision you are mortgaging his future leave. Thirty days' leave ought to be sufficient even to get from Montana to Cuba and return, and to spend about all the money the boys will have to spend for the trip.

Mr. LEAVITT. Of course, a visit of this kind has a great deal of sentimental value to those who took part in the war. It has no particular meaning to those who did not take part in the war.

Mr. CRAMTON. How long does the meeting take after they get there?

Mr. LEAVITT. Perhaps a week.

Mr. CRAMTON. Of course, in going to Paris and return a month would be of no value, but I do not see that that is in question here. While this is a type of bill that I do not like to object to, yet—

Mr. LEAVITT. I do not think it will apply to more than 30 or 40 men in the Government service.

Mr. CRAMTON. I will ask the gentleman if it is his construction—the gentleman from New Jersey [Mr. LEHLBACH] introduced the bill—that it would be entirely discretionary with the officials as to whether they would grant the leave or not? Because when you are giving a man 60 days' leave with pay, nobody knows whether he will be in the Government service next year, due to resignation or death, and it can not be foreseen whether he would be entitled to anticipated leave. If I could see that it was necessary in order to make the convention a success, that would be one thing; but to give them 60 days' leave with pay when it is not necessary to make the convention a success is another matter.

Mr. LEAVITT. The responsibility is upon any officer in charge of a bureau to say if it will interfere with the public business.

Mr. LAGUARDIA. It is stated in the bill on line 6 that it is in the discretion of the head of a department or bureau.

Mr. LEAVITT. Yes; that is stated in the bill, and it is understood by the veterans.

Mr. CRAMTON. The bill may come up two weeks from now, and will then require three objections. I object now. If no one agrees with me next time it will pass.

Mr. MADDEN. I agree with the gentleman.

The SPEAKER pro tempore. Objection is heard. The Clerk will call the next bill.

#### GRAZING LANDS IN MONTANA

The next business on the Consent Calendar was the bill (H. R. 445) authorizing the Secretary of the Interior to enter into a cooperative agreement or agreements with the State of Montana and private owners of land within the State of Montana for grazing and range development, and for other purposes.

The title of the bill was read.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized to enter into a cooperative agreement or agreements with the State of Montana and private owners of such lands in townships 4 north of ranges 50 and 51 east; 5 north of ranges 45, 50, and 51 east; and 6 north of ranges 49, 50, and 51 east, Montana principal meridian, as lie between Mizpah and Pumpkin Creeks, in the State of Montana, whereby such lands and lands within the same area belonging to the United States may be jointly leased for a period of not to exceed 10 years to stockmen owning lands within or adjacent to the said area, under such rules and regulations as the Secretary of the Interior may prescribe; and to enter into such an agreement and issue such a lease to a regularly organized association of such stockmen as will fulfill the purposes of this act: *Provided*, That the lands of the United States within the said area shall be withdrawn from all forms of homestead entry during the period of said lease but shall remain subject to the mineral land laws of the United States: *And provided further*, That any lease issued under the provisions of this act shall be for grazing and range development purposes only: *And provided further*, That the Secretary of the Interior is hereby authorized to cooperate with any department of the Government in carrying out the purposes

of this act with a view to securing the fullest possible benefit to the Government and the livestock industry of such studies as may be made of the operation and results of said cooperative agreements and leases.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

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

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. LEAVITT. Mr. Speaker, this is a very important bill and I ask unanimous consent to extend my remarks in the RECORD in regard to it at this point.

Mr. Speaker, this is an important bill and one which should have some explanation in the RECORD because of the principles involved. It is intended to apply to rough grazing lands in Montana, of which the United States owns 27,534 acres so intermingled with the rest that the use of the entire area by local stockmen dependent upon this range is greatly hampered, and the value of the entire area therefore seriously reduced. Authority exists for the leasing of lands privately owned and belonging to the State to these dependent stockmen, but there is no law under which the United States can lease its part of the lands (about one-fourth). The result is that the use of the entire area is made haphazard and destructive to the forage and to the permanent carrying capacity of the range. This bill is intended to allow the Secretary of the Interior to join in such a lease.

The result will be that stockmen having ranches and hay lands on the two creeks between which these grazing lands lie, known as Mizpah and Pumpkin Creeks, may acquire a lease of long enough duration to justify development of water and such range control as will restore and increase carrying capacity. It will thus become an asset to the permanent development of numerous homes and a factor in the building up of a valuable and important industry.

An added value lies in the fact that this area is only a short distance from the range livestock experiment station at old Fork Keogh, near Miles City. Trained men employed there can carry on studies of this area and compile data of the utmost value as to methods of grazing and handling the public ranges.

The entire matter has been worked out in cooperation. The rights of the private owners are not infringed on in any way and no one is forced into any agreement. The bill is only intended to empower the Secretary of the Interior as the agent of the Government to act with other landowners within the area in working out a cooperative agreement whereby these lands may be both used to advantage and adequately protected against overgrazing.

To do this on this area, where the conditions are typically those existing in many western localities, will furnish a laboratory where the vexing problem of how the public ranges should be handled may be, at least, partly worked out. At any rate, there will be opportunity for study, and for that reason the powers granted the Secretary of the Interior are made broad enough for experimental procedure, always in cooperation with the stockmen and the owners of land other than the Government.

To understand fully the constructive possibilities of this bill, it must be remembered that the cooperative unit includes a gross area of 108,804 acres, made up of the following ownerships in total area and per cent of area:

Ownership	Total acres	Per cent of total area
Northern Pacific Railway Co.	44,357	40.8
Privately owned and 90 per cent abandoned	22,432	20.6
Privately owned by cooperators	8,081	7.4
State of Montana	6,400	5.9
Government public domain	27,534	25.3
Total	108,804	100.0

The unappropriated Government public domain is generally the more broken and poorer forage-producing sections that have not warranted private ownership, and that under present conditions would not justify the payment of taxes and holding charges due to the relatively low production of forage, the only commercial crop upon them. None of this public land is suitable for cultivation. Many of the Northern Pacific sections are similar in character, and the relatively large holdings of the Northern Pacific Railway Co. is indicative of the lack of demand for this land, although it has been for sale by that company for many years. Only in large blocks is this character

of land of material value to the stock industry, and consequently the investment and holding charges must be within that amount that will allow the investor a reasonable return from his livestock products.

The first use made of this locality for livestock production followed the migration of the southern herds to the virgin grasslands of Montana in the early eighties. At that time this range in common with others in this section of Montana was composed mainly of the wheat grasses, *Agropyron Smithii* and *Agropyron Spicatum*, highly palatable to cattle and producing a considerable volume of forage due to the height growth of the species. The less volume-producing grammas and other drought-resistant grasses were present but in restricted amounts. Pioneers yet recall the days of the virgin range, when the grasses touched the stirrups and prairie hay was available wherever sufficiently level to cut. This condition was undoubtedly true, the wheat grasses were preeminent and had not given way through overstocking and abuse to the more resistant, the less volume-producing gramma, and associated species.

This area was in these early days used largely for winter range. The broken topography supplied the shelter and a protected summer growth of forage furnished sufficient winter pasture. Adjoining valleys were unfenced and available for summer range, allowing the broken hills to grow and retain the grasses for winter use. Progressing settlement of the valleys gradually forced the use of these hills for summer pasture in addition to the winter use, until finally the hills represented the only remaining free and unrestricted range, and competition between stockmen had arrived at that point where the numbers of stock were in excess of the available forage and severe overgrazing resulted in the practical disappearance of the highly palatable and greater-volume-producing wheat grasses and a change in the composition of the forage plants to a predominating short gramma-grass range with associated less palatable species. This condition of overstocking caused certain stockmen to attempt to secure private control of certain portions of the range by entering into contract purchases for the alternate sections of Northern Pacific lands with the hope of controlling the alternate Government sections, and providing pasture that could be controlled and protected insufficient area to provide pasture for their herds. Then came the 640-acre grazing homestead act and the land boom, and these stockmen found themselves facing the necessity of purchasing the alternate Government sections that were indiscriminately filed upon as rapidly as title could be secured. This was followed by the deflation period, mounting taxes, increased holding charges, and low prices for livestock products, with the result that the contract-purchased lands were largely thrown back upon the railroad company and other lands taken over by creditors in liquidation of loans. Improvements depreciated, abandoned and worthless horses became numerous, and the overgrazed condition of the land reduced the production of cattle from the above area from an estimate of 6,000 head, some 30 years ago, to a maximum of 2,300 head this year.

It was this condition that aroused the interest of the remaining settlers and resulted in the forming of a cooperative livestock association with the common hope and object of legitimately, and at a price within the realization of a safe return from a livestock investment, to acquire control of this unit of range land upon which their ranches and farms are dependent.

Representative sections of the uncontrolled range were covered by an intensive grazing survey and as a check the William Tonn pasture that lies within the unit and that has been under control since 1919 was also intensively surveyed. This survey took into consideration the density, composition, palatability, and volume of the plant growth on both the unrestricted and the controlled range. The controlled range is exactly similar to the uncontrolled except that it has been properly stocked for the past six years, is under fence, and has had water developed at reasonable distances for the stock.

The Tonn pasture averages 168 forage acres per section, and the uncontrolled area 107 forage acres per section, or in terms of carrying capacity for cattle over a six and one-half months period, the Tonn pasture averages 16 surface acres per head as to 22 surface acres per head for the outside uncontrolled range.

The Tonn pasture shows 7 per cent more density, 19 per cent more volume, and 12 per cent more palatability than the outside range. The total production of forage within the Tonn pasture is 38 per cent more than the average for the uncontrolled range. In other words, if we assume that the uncontrolled range is producing 100 tons of forage for a given area, the Tonn pasture, through proper use and control, is producing 138 tons of forage from an equal area.

The gross area of the proposed grazing unit is 108,804 acres. Under present conditions this represents 18,134 forage acres, which, based upon actual carrying capacity experiments on the



Custer National Forest, represents an animal month carrying capacity of 20,160, or in terms of livestock, 2,520 cattle for an 8-month period. This 2,520 cattle represents the true carrying capacity of the uncontrolled unit under present conditions. Assuming that an equal control management and water development as now existent in the Tonn pasture may be exercised, the area should support within six years an increase of 38 per cent in livestock, represented by 25,025 forage acres, 27,821 animal months, or 3,477 head of cattle for an 8-month period. This indicates a possible increase of 957 cattle within a six-year period from increased production of forage through intelligent control, management, and improvements.

The survey indicated that the Tonn pasture has not yet reached the maximum forage production that may be expected from a longer period of control, proper management, and stocking. The wheat grasses are increasing rapidly and conservative estimates would indicate that an additional increase in carrying capacity may be expected. It is not too optimistic to forecast that 10 years of proper management and control of the proposed unit would permanently allow 4,000 cattle to graze where only 2,500 find sufficient forage to-day.

The stockmen take the attitude that they can not afford to develop water or make any range improvements without a reasonable assurance that they may be protected in their use. Too often they have seen migratory stockmen move in on the water holes that control the adjoining range, and under present conditions they have no authority to prevent such encroachment. They are so dependent upon summer pasture that the present situation tends to prevent any material investment in improvements on their owned lands, since loss of the summer pasture would depreciate and make practically valueless the home ranches where the winter feed is produced. Their present hope is that by some form of assurance of permanent use of the necessary summer pasture they may confidently face the future, build up their private investments in ranch property, create a future for their children, and place their business upon as equally a sound plane as any other business or profession.

It is interesting to know that the Montana Stockgrowers' Association and the Eastern Montana Wool Growers' Association both passed resolutions favorable to enactment. They, like most stockmen of the West, are studying the problem of management of the public ranges with the hope that they may be made to fit into the need of permanent use. The Montana Agricultural College and its extension service, the Forest Service, and the officials and experts of the Range Livestock Experiment Station, close at hand, are lending every cooperative assistance possible.

The bill makes it possible for all concerned to reach the common ground necessary to constructive and helpful results of both immediate benefit and the broad value and possibility of thereby arriving at a wise national policy.

The SPEAKER. Without objection it is so ordered.

There was no objection.

#### CIVIL SERVICE COMMISSION

The next business on the Consent Calendar was the bill (H. R. 5603) to authorize members of the Civil Service Commission and its duly authorized representatives to administer oaths of office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That members of the Civil Service Commission and its duly authorized representatives are hereby empowered and authorized to administer oaths of office, without compensation, to prospective officers and employees in the civil service of the United States, required to be taken upon their appointment or change of status.

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

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

#### ENCAMPMENT OF THE UNITED CONFEDERATE VETERANS

The next business on the Consent Calendar was the bill (H. R. 7013) authorizing and directing the Secretary of War to lend to the Governor of Arkansas 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks to be used at the encampment of the United Confederate Veterans to be held at Little Rock, Ark., in May, 1928.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the entertainment committee of the United Confederate Veterans, whose encampment is to be held at Little Rock, Ark., in the month of May, 1928, 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the chairman of said entertainment committee.

With the following committee amendment:

Page 2, line 9, after the word "committee," insert the following:

"Mr. E. R. Wiles: *Provided further*, That the Secretary of War before delivering said property shall take from said E. R. Wiles a good and sufficient bond for the safe return of said property in good order and condition and the whole without expense to the United States."

The committee amendment was agreed to.

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

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

#### UNAUTHORIZED WEARING, MANUFACTURE, OR SALE OF MEDALS AND BADGES AWARDED BY THE WAR DEPARTMENT

The next business on the Consent Calendar was the bill (H. R. 8309) to amend an act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," approved February 24, 1923.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," approved February 24, 1923, be amended so as to read as follows:

"That hereafter the wearing, manufacturing, or sale of the congressional medal of honor, distinguished-service cross, distinguished-service medal, soldier's medal, distinguished-flying cross, or any other decoration or medal which has been, or may be, authorized by Congress for the military forces of the United States, or any of the service medals or badges which have been, or may hereafter be, awarded by the War Department, or the ribbon, button, or rosette of any of the said medals, badges, or decorations, of the form as is or may hereafter be prescribed by the Secretary of War, or of any colorable imitation thereof, is prohibited, except when authorized under such regulations as the Secretary of War may prescribe.

"Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding \$250 or by imprisonment not exceeding six months, or by both such fine and imprisonment."

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 1, line 5, after the figures "1923," insert the following: "section 1425 of Title X, United States Code."

The amendment was agreed to.

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

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

#### CAPITOL BUILDING AND GROUNDS

The next business on the Consent Calendar was the bill (H. R. 391) to regulate the use of the Capitol Building and Grounds.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURPHY. Mr. Speaker, I object.

#### BRIDGE BILLS

Mr. DENISON. Mr. Speaker, there are a number of bridge bills on the calendar that were not reached a while ago, and to which I know there is no objection. If there is no objection from Members of the House, I would like to call up those bills and pass them en bloc, as we did a while ago, in order to save time and to accommodate Members who have introduced bills which require immediate action.

Mr. JENKINS. Mr. Speaker, I want to reserve the right to object to two of those bills, in order that I may ask some questions of the author of the bills.

Mr. DENISON. Mr. Speaker, I ask unanimous consent that the bills, Calendar Nos. 231, 232, 235, 236, 242, 243, 244, 251, 253, 254, 267, and 268, be considered as having been read, the committee amendments agreed to, and the bills engrossed, read a third time, and passed. I am not making a motion to reconsider to-day.

Mr. BYRNS. Mr. Speaker, reserving the right to object, what does the gentleman propose to do with the other bills?

Mr. DENISON. I have omitted those bills to which I shall have to offer amendments from the floor, and those bills include the bills in which the gentleman from Tennessee is interested.

Mr. BYRNS. Does the gentleman propose to pass them right away?

Mr. DENISON. I am going to make that request.

The SPEAKER. Do the bills referred to by the gentleman from Illinois include the two bills to which the gentleman from Ohio desires to reserve the right to object?

Mr. JENKINS. Yes. I desire to reserve the right to object in order to ask some questions of the author of the bills H. R. 473 and H. R. 5722.

Mr. DENISON. I will yield to the gentleman for that purpose now.

Mr. JENKINS. The gentleman from Kentucky seems to be the author of these two bills, H. R. 473 and H. R. 5722. I notice that these bills provide for the construction of bridges at the same place. While I appreciate that it is the policy of Congress not to refuse bridge permits just because it might work a hardship on the investment already made in some nearby bridge project, still I know that Congress will not allow a permit if it is not asked for in good faith. I would therefore like to ask the gentleman from Kentucky whether or not these bridge bills are introduced in good faith, or whether there is any question about one of them or the other?

Mr. VINSON of Kentucky. I know the high purpose which actuates the gentleman from Ohio. I will say frankly that, if I were not thoroughly convinced that each of them was in good faith, and the offers made by responsible people, I would not have introduced the two bills. I will say to the gentleman that, as he knows, Ashland, Ky., is a city of some 32,000 people and is the only city of its size on the Ohio River which has no bridge across the river.

I have documentary evidence in my hands indicating the financial strength of each of the parties who desire permits. I am thoroughly satisfied they are good-faith offers and that the jobs can be done.

Mr. JENKINS. The gentleman will appreciate that Coal Grove, Ohio, and South Point, in my district, are opposite Ashland, and that naturally the people in that section are interested. I would like to ask the gentleman from Kentucky what he has to say with reference to the financial standing of the Ashland Bridge Co., and the probability of this company carrying out the agreement it has with the council of the village of Coal Grove to commence work within 90 days after the final approval of the plans by the War Department?

Mr. VINSON of Kentucky. I have communications from officials of the three banks in Ashland, Ky.—Mr. John E. Buckingham, president of the Ashland National Bank; Mr. L. N. Davis, cashier and vice president of the Second National Bank; and Mr. L. E. Davies, cashier of the Third National Bank—who vouch for their good faith and their financial worth. They say to me in these communications they have no doubt but this bridge will be started within 90 days after the permit is secured and the War Department approves their plans. They state unequivocally that the Ashland Bridge Co. is financially able to do the job. I may say with regard to the Rogers Bros. Co., that the Rogers brothers themselves are men of considerable means. The information I have is that they are thoroughly able, financially and otherwise, to do the job.

Mr. JENKINS. It has come to my attention that there are reports about to the effect that one of these concerns is a stock-promoting scheme. What has the gentleman to say about that?

Mr. VINSON of Kentucky. I have looked into that, and I have a letter from the city solicitor of Ashland, John T. Diederich, and he informs me that there is not one cent of promotion stock involved in the Ashland Bridge Co. proposition. In respect of the Rogers Bros. position, I am assured by a gentleman who formerly represented my district in this House and late Governor of Kentucky, Hon. W. J. Field, that there is no inflated promotion scheme of any kind connected with their offer.

Mr. JENKINS. Mr. Speaker, upon this assurance that my constituents in this vicinity of Coal Grove and South Point, Ohio, are not to be imposed upon by any promotion schemes, and that these proposals are in good faith, I withdraw my reservation of objection.

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed:

H. R. 9064. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River near Pell City, on the Pell City-Anniston road, between Calhoun and St. Clair Counties, Ala.;

H. R. 9186. A bill granting the consent of Congress to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, for the construction, maintenance, and operation of a toll bridge across the Ohio River at Sistersville, Tyler County, W. Va.;

H. R. 9339. A bill granting the consent of Congress to the Board of County Commissioners of Trumbull County, Ohio, to construct a free highway bridge across the Mahoning River at Warren, Trumbull County, Ohio;

H. R. 9484. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River near Aliceville on the Gainesville-Aliceville road in Pickens County, Ala.;

H. R. 8926. A bill granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River near Garland, Ark.;

H. R. 9019. A bill granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across the Ouachita River near Calion, Ark.;

H. R. 9063. A bill to extend the times for commencing and completing the construction of a bridge across the Chattahoochee River at or near Alaga, Ala.;

H. R. 9280. A bill authorizing the extension of time for the construction of a bridge across the Ohio River approximately midway between the city of Owensboro, Ky., and Rockport, Ind.;

H. R. 9660. A bill authorizing the city of Louisville, Ky., to construct, maintain, and operate a toll bridge across the Ohio River at or near said city;

H. R. 9849. A bill granting the consent of Congress for the extension of the times for commencing and completing the construction of a bridge across the Mississippi River at Quincy, Ill.;

H. R. 473. A bill granting the consent of Congress to the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River; and

H. R. 5722. A bill granting the consent of Congress to the Rogers Bros. Co. to construct, maintain, and operate a bridge across the Ohio River at Ashland, Ky.

#### CAPITOL BUILDING AND GROUNDS

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 205 (H. R. 391), a bill to regulate the use of the Capitol Building and Grounds and that I may withdraw the objection which I made a few moments ago.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration to the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That, unless authorized by concurrent resolution of Congress, the Capitol Building or Grounds shall not, except as provided in section 2, be used as a place to (1) parade, (2) deliver or make any address, oration, or speech, (3) hold or conduct any concert, reception, funeral, pageant, ceremony, celebration, exercise, or service of any kind, or (4) erect to display any flag banner, emblem, or device, designed or adapted to bring into public notice any party, organization, or movement.

The provisions of this section shall not apply to the use of the Capitol Building or Grounds as a place to transact any public business relating to the Congress or either House thereof or the Supreme Court of the United States.

SEC. 2. The Architect of the Capitol is authorized to permit, under rules and regulations to be promulgated by him, and under his supervision and direction: (1) The holding of dedicatory and memorial services in the Capitol Building or on the Capitol Grounds in connection with any statue, bust, or painting which has lawfully been placed in such building or upon the grounds, (2) the holding of concerts on the Capitol Grounds by any band in the service of the United States, and (3) in the event Congress is not in session, the use of the rotunda of the Capitol Building for funerals of distinguished public officials.

SEC. 3. Section 5 of the act entitled "An act to regulate the use of the Capitol Grounds," approved July 1, 1882, as amended, is amended to read as follows:



"SEC. 5. That it is forbidden to discharge any firearm, firework, or explosive, set fire to any combustible, or utter loud, threatening, or abusive language."

SEC. 4. Sections 6, 10, and 11 of said act, as amended, are hereby repealed.

SEC. 5. So much of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes," approved June 6, 1900, as reads: "Provided, That nothing in the act to regulate the use of the Capitol Grounds, approved July 1, 1882, shall be construed to prohibit concerts on the Capitol Grounds at times when neither House of Congress is sitting by any band in the service of the United States under the direction of the Architect of the Capitol," is hereby repealed.

With the following committee amendment:

On page 2, line 13, after the word "officials" insert "or distinguished ex-public officials."

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to ask the gentleman in charge of the bill, or some one who can give me information concerning it, one or two questions. I suppose the third paragraph in section 2 is new law, and I presume the Architect of the Capitol is to determine the question in the case of funerals held while Congress is not in session. The matter seems to be left wholly in the discretion of the Architect of the Capitol.

Mr. LANHAM. The Architect of the Capitol stated before the committee that in such matters he always acts in cooperation with the Sergeant-at-Arms of the House and the Sergeant-at-Arms of the Senate, and would do so even with the enactment of this legislation. It was considered advisable to have some one directly responsible and in charge, with the understanding, however, he would act in cooperation with the Sergeants-at-Arms of the respective bodies.

Mr. GARRETT of Tennessee. The gentleman from Texas will observe that it is proposed to amend the bill and to insert "or distinguished ex-officials." I think this act if adopted means that the Architect of the Capitol will be the official who will determine whether or not the Capitol Building or any part of it shall be used for funerals of ex-public officials.

Mr. LAGUARDIA. Distinguished ex-public officials?

Mr. GARRETT of Tennessee. Yes.

Mr. LANHAM. I think it is clear that is true.

The committee amendment was agreed to.

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

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

#### ISOLATED TRACTS OF PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 6684) to amend section 2455 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land.

The Clerk read the title of the bill.

The SPEAKER. This bill requires three objections. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2455 of the Revised Statutes of the United States, as amended, be, and is hereby, amended to read as follows:

"SEC. 2455. It shall be lawful for the Secretary of the Interior to order into market and sell at public auction, at the land office of the district in which the land is situated, for not less than \$1.25 an acre, any isolated or disconnected tract or parcel of the public domain not exceeding 320 acres which, in his judgment, it would be proper to expose for sale after at least 30 days' notice by the land office of the district in which such land may be situated: *Provided*, That any legal subdivisions of the public land, not exceeding 160 acres, the greater part of which is mountainous or too rough for cultivation, may, in the discretion of the said Secretary, be ordered into the market and sold pursuant to this act upon the application of any person who owns lands or holds a valid entry of lands adjoining such tract, regardless of the fact that such tract may not be isolated or disconnected within the meaning of this act: *Provided further*, That this act shall not defeat any vested right which has already attached under any pending entry or location."

With the following committee amendment:

Page 2, line 14, strike out the word "vested" and insert in lieu thereof the word "valid."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I have an amendment:

On page 1, line 4, after the word "States" insert in parenthesis "section 1171 of title 43 U. S. C."; and at line 6, after the figures "2455" in parenthesis "section 1171 of title 43, of U. S. C."

The SPEAKER. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 1, in line 4, after the word "States" insert in parenthesis "section 1171, title 43, U. S. C."; and in line 6, after the figures "2455" insert in parenthesis "section 1171, title 43, U. S. C."

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

Mr. LAGUARDIA. Yes.

Mr. RAMSEYER. When this bill was up before and was objected to and the question involved in the gentleman's amendment was raised, I happened to read the bill and to compare it with the section of the code which it seeks to amend. On page 2, line 9, and also at line 13, the word "act" appears. In the section of the code, at both places, the word is "section." I should like to know why this change from "section" to "act," and whether it does not enlarge the scope of this section by changing it from section to act. I do not know whether the author of the bill did this intentionally or whether this is the language in the bill that came from the department. What is the object of changing the word "section" to "act"?

Mr. WINTER. I can not inform the gentleman, but the form of the bill was approved by the Interior Department as it reads now.

Mr. RAMSEYER. I am just wondering whether they are after something more than they are entitled to, or something more than they want or should have.

Mr. LAGUARDIA. I do not think so. The language is "pursuant to this act," and it refers to this bill.

Mr. RAMSEYER. But this is a section of a number of sections of the act; and the original section, which was the law and is the law now, but which will be displaced by this section, always referred to section and not to act; and what is embodied in this section was only intended to affect things in this section and not in the act, which may have consisted of quite a number of sections, as the gentleman well knows.

Mr. LAGUARDIA. I think there might be that danger if it referred to some other act or some other section. Still, there would not be any objection, if the gentleman wishes, to amend it to read "section" instead of "act."

Mr. RAMSEYER. Then, after we dispose of the pending amendment, I will offer another amendment.

The SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. RAMSEYER. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "act" and insert the word "section," and on page 2, line 13, strike out the word "act" in both places and insert the word "section."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States was presented to the House of Representatives, by Mr. Hess, one of his secretaries.

#### DEBT OWED BY GREECE TO THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on Ways and Means.

To the Congress of the United States:

I am submitting herewith for your consideration a copy of the report of the Secretary of the Treasury regarding the proposed plan for the settlement of the debt owed by Greece to the United States and of the differences existing between the two Governments arising out of the tripartite loan agreement entered into at Paris under date of February 10, 1918.

The plan of settlement has my approval, and I recommend that the Congress enact the necessary legislation authorizing it for the following reasons:

It provides for the funding of the Greek war debt to our Government and for the settlement of the Greek claim for further advances under the tripartite loan agreement made during the war. While our Government is to advance some twelve millions to Greece, the loan is amply secured, is to be repaid over a period of 20 years at an adequate rate of interest, and is to be used exclusively for reconstruction work of great humanitarian

as well as economic value. This loan discharges what the Greek Government has consistently contended is a legal and moral commitment of our Government.

CALVIN COOLIDGE.

THE WHITE HOUSE, February 6, 1928.

#### INDEBTEDNESS OF THE KINGDOM OF SERBS, CROATS, AND SLOVENES

Mr. GREEN of Iowa. Mr. Speaker, by direction of the Committee on Ways and Means, I present the following report on H. R. 367, to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes.

#### BRIDGE ACROSS THE TENNESSEE RIVER

Mr. DENISON. Mr. Speaker, I want to finish these bridge bills. These are all from the State of Tennessee, and on account of the provision of the State law I am obliged to offer an amendment of one word to the committee amendment. I call up the bill (H. R. 9198) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Paris-Dover road in Henry and Stewart Counties, Tenn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, on page 2 of the bill, in line 1, I move to strike out the word "twenty" and insert the words "twenty-five."

The Clerk read as follows:

Page 2, line 19, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to and the committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS THE CUMBERLAND RIVER

Mr. DENISON. I call up the bill (H. R. 9137) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lebanon-Hartsville road in Wilson and Trousdale Counties, Tenn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, on page 2, line 20, I move to strike out the word "twenty" and insert the words "twenty-five."

The Clerk reported the amendment, as follows:

Amendment to the committee amendment: Page 2, line 20, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS THE CUMBERLAND RIVER

Mr. DENISON. Mr. Speaker, I now call up the bill (H. R. 9139) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lafayette-Celina road in Clay County, Tenn.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, I move to amend the committee amendment, on page 2, line 19, by striking out the word "twenty" and inserting the words "twenty-five."

The Clerk read the amendment, as follows:

Amendment by Mr. DENISON to the committee amendment: Page 2, line 19, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment as amended was agreed to.

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

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS TENNESSEE RIVER, ROANE COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill H. R. 9196, granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Decatur-Kingston road in Roane County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON to the committee amendment: Page 2, line 13, strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to, and the committee amendment was agreed to. The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

#### BRIDGE ACROSS TENNESSEE RIVER, MARION COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I now call up the bill H. R. 9147, granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a toll bridge across the Tennessee River, on the Jasper-Chattanooga road in Marion County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON to the committee amendment: Page 2, line 13, strike out the word "twenty," and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to and the committee amendment was agreed to.

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

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

#### BRIDGE ACROSS TENNESSEE RIVER, KNOX COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill (H. R. 9197) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Knoxville-Marysville road, in Knox County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DENISON: Page 2, line 13, strike out the word "twenty" and insert the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

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

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

#### BRIDGE ACROSS CUMBERLAND RIVER, STEWART COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill (H. R. 9199) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarkesville road, in Stewart County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 2, line 19, strike out the word "twenty" and insert the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

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

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

#### BRIDGE ACROSS THE CLINCH RIVER, HANCOCK COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I next call up the bill (H. R. 9293) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River on the Sneedville-Rogersville road, in Hancock County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 3, line 7, strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.



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

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

Mr. DENISON. Mr. Speaker, on behalf of the Committee on Interstate and Foreign Commerce, I express to the House my sincere appreciation of their very kind consideration.

#### TO CONSOLIDATE COPYRIGHT ACTS

Mr. VESTAL. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6104) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909, with the amendment which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill H. R. 6104, as amended, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909 (sec. 57 and sec. 61, of Title 17, U. S. C.), be, and the same are hereby, amended so as to read as follows:

"SEC. 57. That the said printed current catalogues as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them at a price to be determined by the register of copyrights for each part of the catalogue not exceeding \$10 for the complete yearly catalogue of copyright entries. The consolidated catalogues and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogues shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

"SEC. 61. That the register of copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this act, \$2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 11, the fee for registration with certificate shall be \$1, and in the case of a published photograph the fee shall be \$1 where a certificate is not desired. For every additional certificate of registration made, \$1. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section 1, subsection (e), or for any copy of such assignment or license, duly certified, \$2 for each copyright office record-book page or additional fraction thereof over one-half page. For recording the notice of user or acquiescence specified in section 1, subsection (e), \$1 for each notice of not more than five titles. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, \$2. For recording the renewal of copyright provided for in sections 23 and 24, \$1. For recording the transfer of the proprietorship of copyrighted articles, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, \$1 for each hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time."

SEC. 2. This act shall go into effect on July 1, 1928.

The SPEAKER. Is a second demanded?

Mr. BOYLAN. Mr. Speaker, I demand a second.

Mr. VESTAL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is entitled to 20 minutes and the gentleman from New York to 20 minutes.

Mr. VESTAL. Mr. Speaker, this bill proposes to increase the fees in the copyright office. It does not affect any other part of the law. The fees have not been increased in the copyright office in years. They are running behind, so far as their finances are concerned, and had to go before the Committee on Appropriations at the beginning of this session of Congress to obtain special relief. The number of copyright matters coming before the office is increasing daily, and it is absolutely necessary to increase the fees to anywhere near pay the cost of giving this monopoly to these different people. We have increased the fees for all published work from \$1 to \$2 and the fee on unpublished works we leave at \$1. We have

doubled the price of the catalogues because of the cost of printing.

Mr. ABERNETHY. This does not change the law except as to fees?

Mr. VESTAL. No.

Mr. GARNER of Texas. Do I understand that an article, for instance, which is copyrighted in the newspaper still pays \$1?

Mr. VESTAL. No.

Mr. GARNER of Texas. Suppose you write an article to-day for one of the Washington papers, which appears in its columns, and that is the only print there is of it, and you copy-right it. Is the fee for that \$1 or \$2?

Mr. VESTAL. Two dollars.

Mr. GARNER of Texas. What do you mean by "\$2"?

Mr. VESTAL. Suppose a man writes a piece of music and it is not published before he gets the copyright on it. Before it is published he pays \$1.

Mr. GARNER of Texas. You say this copyright-fee increase is to pay the expenses of the copyright office?

Mr. VESTAL. Partly to pay the expenses.

Mr. GARNER of Texas. Heretofore they have been losing money, have they?

Mr. VESTAL. Yes. Mr. Speaker, I reserve the balance of my time.

Mr. BOYLAN. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER pro tempore. The gentleman from New York is recognized for 10 minutes.

Mr. BOYLAN. I think, gentlemen, you remember this bill; it is an old customer. It was passed here last year, and while it passed the House, it failed to pass the Senate.

It is a very simple bill. Inasmuch as the question was asked by my colleague from Texas [Mr. GARNER] as to whether or not it increased the fee. I will answer, it does increase the fee 100 per cent. Where the present fee for copyrighting an article is \$1, it is increased to \$2.

This, gentlemen, is a tax on intelligence, and because the copyright bureau is running behind it wants to get additional money out of the poor writers and poor authors—is manifestly unfair. We do not ask our Agricultural Department to be self-sustaining. We do not ask that the Post Office Department be self-sustaining. We do not ask that our Bureau of Education shall be self-sustaining. We do not ask that our State Department shall be self-sustaining. We do not ask any of the departments that disseminate information to the people of the country, that they be made to pay their way. Why pick on the poor author and make him come and double his contribution to the Government?

Take the case of all the country newspapers. Suppose one of you gentlemen prepared a splendid address—such as I know you are capable of doing—and had it put into the home paper, and before it was sent out you wished to have it copyrighted. You probably felt that it was of such importance that it ought to be handed down to posterity. Instead of paying a dollar you would have to pay \$2.

Gentlemen, I think you will agree with me when I say that we ought to seek out the intelligence of the country, we ought to encourage it, and we ought to foster it by every possible means in our power and not try to nip the budding genius in its very inception by adding to the cost of copyright. I do not see why, because men receive an increase of salary in the copyright bureau that the increase of salary should come out of the poor, struggling author rather than out of the other general funds that we have. I believe in an increase of salary, and I believe on the whole that Government officials are poorly paid and woefully underpaid.

I know, gentlemen, that after your arduous labors of the day here many of you, if you have no dinner engagement, retire to the sanctity of your den, after a good dinner, and you get out the old slippers and the dressing robe and the faithful pipe; you go and pick out a favorite author and regale your mind with him for an hour or two. I want you to consider that some of these authors who entertain you and who have shed such luster and renown upon the literature that has come down to us through the years, were poor men. If these men had had to pay the copyright charges proposed by you to-day you would not have the privilege of reading the splendid emanations of their minds.

You may say, "Well, what does a dollar amount to?" Well, of course, a dollar may not amount to much to a man of opulence such as a Congressman and other celebrated public officials, but a dollar would mean a whole lot to a struggling author. It would mean very, very much. That dollar might be just the very thing that would prevent the publication of his work.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield there?

Mr. BOYLAN. Yes.

Mr. LAGUARDIA. If the author had not sold his story he would not be required to pay the \$2, but would have to pay only \$1.

Mr. BOYLAN. Of course, but it would be taken out of his meager stipend.

Mr. LAGUARDIA. If the dollar were taken out of the price for his story it would not make any difference whether it was copyrighted or not. Can the gentleman mention an author who would be hurt by this bill?

Mr. BOYLAN. I will say that as respects a distinguished author who writes daily and whose writings are copyrighted and are well known to you and other Members of the House, I am credibly informed that all he gets for his daily articles is \$10. I know that the gentleman from New York [Mr. LAGUARDIA] is himself an author.

Mr. LAGUARDIA. I do not want to copyright myself.

Mr. BOYLAN. I know you would not accept \$2 for your articles, because I know they are of such superior merit that they are worth more than \$2. That dollar would come out of the \$10. That dollar would buy your breakfast.

Mr. LAGUARDIA. He would get \$10 from each paper, but he has got only one copyright fee to pay.

Mr. BOYLAN. Oh, no; the gentleman is in error.

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

Mr. BOYLAN. I yield myself three minutes more. The copyright fee would be paid only once. In the case of a syndicated article the gentleman gets only \$10 for the whole article.

Mr. LAGUARDIA. He must be, indeed, a poor author.

Mr. BOYLAN. He may not, of course, be in the gentleman's class, but he is an author who is highly thought of not only by Members of this House but by newspaper readers in general.

I think, gentlemen of the House, it is our duty to foster struggling authors, and I would be in favor of eliminating entirely all charges for copyrights, because then we would add a further incentive to the genius of the Nation. Of course, they say the first 25 years are the hardest, and I would do that in order to help them over the first 25 years.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. LAGUARDIA. Is the author the gentleman has in mind the man who writes about the famous water from Indiana?

Mr. BOYLAN. Well, that might be one of his subjects. I do not know that he confines himself exclusively to that. However, gentlemen, I consider we should help these struggling authors because we can not have too much intelligence in America. The more intelligent our people are, the better grasp they will have of the doings and workings of Congress; the better they will be able to read the CONGRESSIONAL RECORD and the better they will be able to read, digest, and analyze the wonderful orations delivered on the floor of the House.

Mr. BLOOM. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. BLOOM. Does the gentleman believe that the CONGRESSIONAL RECORD should be copyrighted?

Mr. BOYLAN. I believe if it were copyrighted it might perhaps retard its circulation. [Laughter.] I believe we should give the greatest measure of intelligence to all our people. I am in favor not only of not increasing the cost of copyrights but, as I said previously, I am in favor of eliminating all charges whatever in order that the industrious men and women of America devoting themselves to literary pursuits might be encouraged in every possible way.

Mr. HOOPER. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. HOOPER. Does not the publisher ordinarily pay the copyright fee when the author has submitted his work to him?

Mr. BOYLAN. Well, I understand that in many instances the publisher pays it, but takes it out of the stipend given the author.

Mr. LAGUARDIA. What a piker that publisher must be.

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

Mr. BOYLAN. Mr. Speaker, I yield myself two additional minutes. In conclusion I ask you to consider this matter very carefully and to vote as your consciences dictate. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. VESTAL. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, I wish to make a very brief statement with reference to this bill. I serve on the committee which gave it consideration. It was reported to this House unanimously by that committee. The gentleman from New

York [Mr. BOYLAN] has made the statement that this is a tax upon intelligence. In my judgment, it is very far from that. The copyright laws of this country give an exclusive privilege to authors whose works are copyrighted. This privilege is for a period of 28 years, with the right of renewal for an additional 28 years, making a total of 56 years. The reference which the gentleman from New York made to the Postal Service and other departments of the Government, therefore, is not analogous to this case because the service to which he alludes is not an exclusive privilege. Copyright laws do not put a tax upon intelligence, but, on the contrary, protect intelligence by granting an exclusive right for 56 years.

All we are asking is that those so protected pay a part of the cost of their own protection, in order that the public generally, who pay taxes and who buy these copyrighted works, may not have to contribute unduly from the Treasury of the American people to the opportunity afforded authors to enrich themselves. Now, that is the gist of this matter.

The gentleman has made reference to the authors. All of the leading authors in this country, certainly all those who have any organized voice through which they can speak, are on record before our committee as being heartily in favor of this legislation; and, as a matter of fact, in our hearings there has not been one protest from any source against the enactment of this bill.

Mr. BLOOM. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. BLOOM. Will the gentleman please state, for the benefit of the Members of the House, why the authors and composers did not object to this bill, and say it was on account of the fact that they wanted to raise the salaries of the employees of the department; that the chairman of the Appropriations Committee said the only way you could get it was by raising the fees, and that is the reason why the authors and composers did not object to this?

Mr. LANHAM. I may have to ask for a little more time if I have to answer these questions, because I want to go on with my statement; but let me say this: Suppose they did ask that? Suppose the authors made the request that the fees be increased in order that those who are working in the copyright office might receive salaries commensurate with the work they are doing? Their higher salaries would then be paid by the copyright fees received from the authors themselves, and yet they are asking that an increased fee be placed upon them, so, even on that assumption, the authors are not objecting.

Now, what is the situation as to the authors? It is almost impossible to buy a piece of current literature, of fiction, biography, or history for less than \$2 a single copy, and the copyright fee we are asking here is \$2, the cost of a single copy of most works of fiction offered the public to-day. For the \$2 which the author pays, what do we give him? We give him the exclusive right to all the earnings received from that copyrighted article for 56 years, and for that privilege the author pays the cost of one copy of his book. Is there anything unreasonable in that? If it is a play or if it is some work he wants to use for a particular purpose without going to the expense of having it published, he may copyright it as an unpublished work at the rate of \$1, which now obtains. There is no increase in that cost whatever.

Mr. SNELL. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. SNELL. I do not know very much about this bill, so I want a little information. As I understand it, all you are asking is to get enough money to reimburse the Government for the work it is doing at the present time.

Mr. LANHAM. To be sure, and it is doubtful whether it will do that.

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

Mr. VESTAL. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. LANHAM. The copyright office is now operating at a loss.

Mr. SNELL. And this bill is for the purpose of making up that loss.

Mr. LANHAM. Yes; or at least a part of it.

Mr. SNELL. For the rights you give them in the protection of their work.

Mr. LANHAM. That is exactly it. We are simply asking the man who dances to help pay the fiddler.

Mr. BLOOM. Will the gentleman yield?

Mr. LANHAM. In just a moment, after I have finished this statement. We are asking those who receive this privilege to pay part of the cost of conferring the privilege.

We have been making annual appropriations for the upkeep and maintenance of the copyright office. In order to do what?



In order to give these very people an opportunity to have an exclusive right to their work for 56 years.

As I have said before, there has been no complaint whatever before our committee with reference to the bill.

There is just one other feature of the measure which I wish to discuss. We are increasing from \$5 to \$10 the price of the annual catalogue. The annual catalogue contains about 8,000 octavo pages listing about 170,000 copyright entries a year.

Mr. BLOOM. Will the gentleman yield there?

Mr. LANHAM. I will.

Mr. BLOOM. Why not make the price of that book \$50, when through the purchase of that book the people who use it make hundreds of thousands of dollars out of it? Why only increase that from \$5 to \$10 when you double the fee in the other instance?

Mr. LANHAM. The gentleman can apply the argument in the same way to authors. Why, we read in the newspapers and in the magazines about editions of some of these books that are going into 80,000 or 90,000 copies, and the author for his small payment of \$2 is getting great returns from his production. Why not on the same principle increase this fee?

We are simply trying here to do what we think is reasonable and equitable for all parties concerned without working a hardship upon anyone, and we are seeking thereby more nearly to defray the actual cost of operation of our copyright office.

Mr. BLOOM. Will the gentleman yield there?

Mr. LANHAM. Yes.

Mr. BLOOM. With reference to the cost of this book which we are proposing to sell for \$10, does the gentleman know what it costs the department?

Mr. LANHAM. I suppose it costs considerably more than \$10 per copy to prepare the book.

Mr. BLOOM. Is it not the fact that this book which is sold to merchants and others throughout the country is something they absolutely require in their business, and is it not true they could not conduct their business without having this book, and they would be willing to pay \$100 for the book if you charged them that much for it?

Mr. LANHAM. I will answer the gentleman in this way. If the gentleman can get this bill amended and increase that price of \$10 and thereby make them come more nearly paying the cost of operation of our copyright office, I will vote for it.

Mr. BLOOM. So will I. Speak to the chairman of the committee and let us amend it.

Mr. LANHAM. In other words, the committee is endeavoring here to get an increase which, though not commensurate with the protection afforded the beneficiaries, will help us to defray the cost of operating this office. [Applause.]

Mr. BOYLAN. Mr. Speaker and gentlemen, I have heard the distinguished gentleman from Texas, whom I respect and admire. Did he emphasize in his argument that he was going to help the publication of beautiful things that might go down through the years—writings that would raise and elevate the minds of mankind—by eliminating the copyright fee? Oh, no; it was the cost that he emphasized. The only argument he had was the cost. Is there any price on superintelligence, is there any rule of thumb whereby you can place a value upon it? Will you allow a mere matter of cost to fail to bring to it a proper state of recognition? We ought to have something else in our minds rather than the cost. We ought to get away occasionally from the dull daily grind and refresh our souls by enjoying the beauties of nature, art, music, and literature. We ought to think about these things and not be everlastingly talking about costs. Let us not be known as a dollar nation. Let us show the world that we have some regard for the finer things in life. We can do this by defeating this bill that increases the burden on the struggling author.

Mr. McSWAIN. Is the gentleman in favor of the \$1 fee?

Mr. BOYLAN. I am in favor of eliminating the \$1 tax. There should be no tax on intelligence.

Mr. BLOOM. But the gentleman is willing to let the \$1 stay?

Mr. BOYLAN. Yes; I am in favor of that for the present.

The SPEAKER. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### LEAVE OF ABSENCE

By unanimous consent, the following leaves of absence were granted:

To Mr. BACON, for two days, on account of illness.

To Mr. JACOBSTEIN, for an indefinite period, on account of illness in his family.

#### DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND LABOR APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I present a conference report on the bill (H. R. 8269) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes.

Which was ordered printed.

#### FREE GOVERNMENT AND FREE PRESS

Mr. CONNALLY of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address that I delivered before the Texas Press Association.

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

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, I avail myself of the privilege granted to me by the House by printing in the RECORD an address delivered by me before the State convention of the Texas Press Association at El Paso, Tex., on June 17, 1927:

Mr. President and members of the Texas Press Association, the honor of addressing the State Press Association of Texas places me greatly in your debt. I desire to make acknowledgment of the obligation which it entails. The press of Texas has long enjoyed a reputation extending far beyond the borders of the State. It is a vital force in the intellectual, political, moral, and material life of our people.

It is because the press so accurately measures our progress in so many fields that, though a layman, I am induced to speak to you on Free Government and Free Press. Political freedom and freedom of the press have had such intimate association in their development and still are so interdependent, it has seemed to me appropriate to discuss their relation before this distinguished company.

To-day when the reader may read in numerous newspapers within a few hours of their issue the news from all parts of the world, and editorial and other comment on the action of governments and of men, it is difficult to envisage the periods, not distantly remote, in which the battle for the freedom which the press enjoys to-day was waged. In the Anglo-Saxon struggle for liberty in England and in America all of its triumphs were not on the field of battle. Freedom to think and the right to express opinion by speech and through the press were deemed essential for the correction of abuses and as necessary to preserve the liberty of the citizen as armed revolution was to secure it.

It has been said that "Liberty of opinion has been the last political right that has been gained by the people." Its expression was for centuries dependent upon the will of the sovereign. The monarch ruled without consulting either the will or the opinions of his subjects. To-day public opinion lies at the very roots of democracy and representative government.

#### EARLY STRUGGLE OF PRESS

With the invention of the printing press by Gutenberg and its improvement, by the end of the fifteenth century newspapers had been established in Venice, Cologne, Copenhagen, Paris, and Amsterdam. More than 120 years expired before The Weekley Newes was established in England, in 1622. It was forced to confine itself to "newes from forain partes." The Tudors and the Stuarts suppressed the discussion of local affairs. The crown claimed the right under its general prerogative to license printers and booksellers and to thus maintain a monopoly.

In 1637 a stringent order was issued by the Star Chamber, that great engine of censorship and tyranny, preventing the importation of books printed abroad to the scandal of religion or the church or government and the printing of any book not lawfully licensed. The same restriction was exercised by the Long Parliament after the abolition of the Star Chamber. It was against an ordinance of that body, in 1643, that John Milton directed his Aeropagitica, a Speech for the Liberty of Unlicensed Printing. Among other things Milton said, "Give me liberty to know, to utter, and to argue freely according to conscience above all other liberties." Under the licensing act objections were made by the licenser against lines 594-599 of the first book of Paradise Lost. Charles II, in 1660, by proclamation, suppressed Milton's A Defense for the English People. A desire to suppress criticism is not inherent alone in kings. It is possessed by other forms of government.

Under Cromwell's Commonwealth persons printing reports of the proceedings of Parliament were subject to prosecution. A resolution prevented news reporters from "intermeddling with their debates or other proceedings or giving any account or minute of the debates." In the days of the Stuarts visitors were excluded from Parliament on the ground that their absence was an aid to liberty, since a member was protected against his words being taken down for future condemnation in the courts of the king. With their overthrow exclusion was continued for political purposes. With the restoration of Charles II the freedom of the press was practically destroyed.

In 1680 a judge declared that when by the King's command the judges were to give an opinion as to what was to be done toward the regulation of the press, they advised that to print or publish any newspaper or pamphlet of news was illegal. He declared that proof of publication was proof of guilt, and that the court alone could determine the issues of malice and libel. The judges refused to submit to the jury any issue except of publication. The judges were appointed by the King and were powerful instruments of oppression. It was around the right of the jury to pass upon intent and malice that the great battles of the future revolved. Finally in 1694 the Commons refused to renew the licensing act, which had given the Government control of the press. Though anyone might print what he would, he was held responsible to a rigid interpretation by the courts. The truth of the publication was not a defense. Almost a century later Lord Mansfield declared, "The greater the truth the greater the libel."

Parliament by a standing order forbade the publication of its proceedings. Notwithstanding such restrictions, the press secured and published reports. Dr. Samuel Johnson wrote parliamentary reports from 1740-1743 and published them. To circumvent the prohibition of the publication of debates, they were represented as taking place in the "Senate of Great Lilliput." Magazines reported the oratory of Mark Antony, Brutus, and other characters as taking place in the "Political Club."

#### HOW PROSECUTION HELPED

Two famous prosecutions for libel aided the fight for greater liberty. John Wilkes was a member of the House of Commons. In 1763 in an issue of the North Briton he discussed the King's speech to Parliament. Though his attack was upon the King's minister as the author of the speech, it was charged that he had insulted the King. He defied the King's general warrant, but upon a special warrant he was tried and convicted for printing and publishing a seditious libel. The Commons unseated him. At once the case became a political issue. He stood for Parliament and was again elected and again denied a seat. Again elected he was again turned from its doors. On his fourth election his opponent was seated. On his fifth election a new Parliament seated him.

The echoes of the Wilkes case had hardly subsided when there appeared the celebrated letter of Junius addressed to the King. The author was unknown, but a publisher was prosecuted for seditious libel. Though Lord Mansfield instructed the jury that they had no power to determine the intention, the malice, or the sedition, but only the fact of publication, opinion had been so aroused that the jury returned an uncertain verdict and a new trial was granted. On the trial of another publisher of the letter the jury disregarded Mansfield's instructions and acquitted the accused.

These and other trials reacted tremendously upon public opinion in England. Erskine's great speeches in libel cases, among others that of the case of Tom Paine, for publishing the Rights of Man, impressed the public mind.

With the advancement of the English people toward self-government, the desire for a free press increased step by step. The doctrines of Mansfield were definitely repudiated by the Fox libel act in the time of George III. Fox, the great Liberal leader, said: "Speech ought to be completely free. Take away the freedom of speech or writing and the foundation of all freedom is gone." His bill gave the jury the right to judge the intent and tendency of the defendant's words and to acquit the accused for criticisms of the government and men, except where charges were made with illegal intention.

#### TRUTH MADE DEFENSE

Not yet was complete freedom attained. It was not until 1843 that England provided that truth could be pleaded as a defense, on a plea that its publication was in the public interest. By steady progress the English press may be said to have found its complete freedom. Though Edmund Burke, in referring to the futility of an opposition member making an impression in his day, complained: "In the House he votes forever in a dispirited minority. If he speaks the doors are locked," parliamentary proceedings are no longer withheld from the public. The advances have been made almost without the aid of legislation. It progressed through the growth and strength of public opinion. Like other rights under the British Constitution, it is not guaranteed by any written constitutional provision. It is protected alone by British custom and tradition which have come to have the force of law.

#### THE STRUGGLE IN AMERICA

In tracing the development of freedom in the United States, the English background must always be kept in mind. During the period when the American Colonies were being provoked to revolution the struggle over the freedom of the press in England was acute. It had its reactions here. The more liberal attitude had the support of the colonists.

One of the interesting libel prosecutions prior to the Revolution was that of John Franklin. He had criticized the general court, the legislative branch in Massachusetts, and the governor, and was sentenced to a month's imprisonment. During his incarceration his younger brother, Ben, operated his paper. Benjamin was being prepared for the brilliant battles of his mature years in behalf of liberty.

The celebrated trial of Zenger was the occasion of the decision of two problems—the right to record and discuss the acts of government, and the right of juries to decide the intent rather than the mere fact of publication. Many editions of the report of the trial were published, both in the Colonies and in England. Gouverneur Morris referred to it as the "dawn of that liberty which afterwards revolutionized America." Zenger attacked Cosby, the royal Governor of New York, and was imprisoned nearly nine months before trial. However, he continued to publish his Journal. He said that by speaking through a hole in the door of the prison to his wife and servant he hoped to continue his weekly Journal as formerly. Counsel for Zenger was able to influence the jury to disregard the instructions of the court, which reserved to the judge the right to determine whether or not the publication was libelous, and secured a favorable verdict.

The Continental Congress in October, 1774, in an address to the inhabitants of Quebec, asserted that the colonists were entitled to five notable rights—representative government, trial by jury, liberty of the person, easy tenure of land, and freedom of the press. They claimed them as Englishmen.

#### CONSTITUTION AMENDED

It is noticeable that the original draft of the Constitution of the United States did not contain a clause assuring freedom to the press. However, the first Congress submitted to the States the first 10 amendments, which have come to be known as the American bill of rights. The first amendment protects the press in the following language:

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

The amendment became effective in 1791. That date marks for the United States the constitutional recognition of the freedom of the press from arbitrary Federal power.

A test was soon to come. The spirit of passionate partisanship that raged during the administration of John Adams brought forth the alien and sedition laws of 1798. Our difficulties with France and Great Britain produced rancor and bitterness at home. The opposition press charged that the administration and the Federalists were partisans of Great Britain. The Federalists retorted that the Republicans were French Jacobins. The sedition bill was designed to silence criticism of the Federalist administration. When first drafted it was more severe than its final form. Alexander Hamilton was astounded at its harsh provisions. He exclaimed, "Why establish a tyranny?" It was enacted on July 10, 1798. One of its notable victims was Matthew Lyon, of Vermont. Lyon was a Member of Congress, and when Vermont papers refused to publish his address to his constituents he established a paper of his own. Among other things he printed a letter from Barlow, the poet, referring to "the bullying speech of your President and the stupid answer of your Senate." For the publication of that criticism Lyon was sentenced to four months in jail and assessed a fine of \$1,000. The trial was farcical and partial. He was incarcerated in a small cell, and was refused writing materials. In the meantime popular fury against the alien and sedition laws was growing in strength. The sentiment for democracy and Jefferson, its leader, were increasing. The people feared an era of proscription under these obnoxious measures. Lyon was nominated for Congress. The Federalists were amazed. Lyon was elected overwhelmingly. Jefferson and his friends raised the amount of his fine.

Upon his release he was triumphantly escorted through New York, New Jersey, and Pennsylvania amidst ovations. Out of the Lyon case grew another prosecution. Anthony Haswell, a man who had served in the Army of Washington, had appealed for funds to pay the fine of Lyon through the columns of his Gazette and had attacked the administration. He was convicted of sedition. There were other cases of arbitrary and tyrannical employment of the act. Opposition to these repressive and un-American measures gained so rapidly that public opinion was aroused. The Virginia and Kentucky resolutions in protest appeared. The triumph of Jefferson, who had led the fight against the alien and sedition laws, was assured in the election of 1800. The repeal of these hated acts brought to an end a dramatic and historic struggle.

#### NOW FIRMLY ESTABLISHED

It may be said that in America the freedom of the press is firmly and permanently established. The first amendment to the Constitution, however, was merely a limitation upon the power of the Congress. The States were still free to exercise their own power over the press.

The constitutions of Pennsylvania, Delaware, Maryland, and North Carolina, adopted in 1776, contained the earliest declarations favorable to its liberty. To-day most, if not all, of the constitutions of the States contain some similar guaranty. Under constitutional provisions and legislative acts of Texas, newspapers are now privileged to publish "fair, true, and impartial" reports of the proceedings of the courts, unless prohibited by the court, of executive and legislative proceedings, of the transactions at public meetings and reasonable and fair comment and criticism of official acts.



I shall not undertake to discuss the law of libel as it relates to other than public affairs. The right of the citizen to privacy in those matters in which the public has no legitimate concern, and the value of personal reputation rest upon a sound basis. They spring from the same liberty guaranteed to the citizen that the freedom of the press is intended to secure by turning its spotlight upon public questions. To publish a false statement regarding an individual to his injury, or to invade his proper privacy is as much an injustice as the confiscation of his property or his unmerited imprisonment by a tyrannical government. The same power that shields the citizen from undue search or seizure of his papers or effects owes him the duty of protection from undue invasion of his affairs. The public liberty ends where individual liberty begins.

Neither is there warrant for the publication of vicious or obscene matter, which tends to the corruption of morals or the creation of criminal enterprises. The utmost freedom regarding government and the proper censorship of officials are quite different things from unbridled license to print shocking or salacious details not related to public affairs. The press as a whole observes the proprieties in such cases without the compulsion of law. Only a small and disreputable fraction must be restrained.

#### PUBLIC INTEREST GOVERNS

Freedom of the press was established in the public interest. It was not intended to gratify the curiosity or satisfy a craving to pry into the affairs of individuals. It was not provided to please newspapers or publishers. Its grant devolved upon the press a public function. Because it is essential to political liberty, it is protected. Thomas Jefferson, in 1787, said: "The basis of our Government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter."

Again, 1799, in a letter to Elbridge Gerry, he wrote: "I am for freedom of the press and against all violations of the Constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents."

Though Jefferson was bitterly abused and vilified by the Federalist press, he adhered to these views. His correspondence abounds in references to the value and necessity of a free press, though he complained that his antagonists had published falsehoods regarding him. In the party struggles of the Jefferson and Jackson periods, newspapers, both large and small, were as a rule bitterly partisan. However, they exerted a strong influence. In their columns were carried in full many of the important speeches delivered in the House and Senate on the epochal questions of those remarkable periods. The individuality of the editor or owner was written all over their pages. They reflected his views and frequently his political bias and prejudice. Many were denunciatory and extremely bitter. Frequently they resorted to grotesque caricature and ridicule.

#### MUST PRINT TRUTH

There has been marvelous development since that era. To-day when so many of our people read the daily press, its influence upon public opinion is almost impossible of estimate. It has within its power to make or unmake public issues. The fortunes of measures and candidates are often in its hands. Upon its news columns the public depends for its information as to public transactions. Its editorial pages potentially influence their conclusions from the facts. In recent years the special and syndicated writer has become an important factor. By reporting purported fact and artfully intermingling comment and opinion of his own into the fabric of the article, it subtly and ingeniously colors the mind of the reader. These are the methods of the political propagandist. The press, no doubt, is persistently beset by those who would use its columns for propaganda. And therein the newspaper has a great responsibility. It is its duty to print the truth. There is, however, great difficulty to be met in that regard. The quest of truth is not always an easy task. The highest form of service that can be rendered to the public by any instrumentality is to learn the truth and then give that truth to other men. That is the lofty mission of the press.

With its astounding and its ever-increasing power over the mass mind, its responsibilities and duties are commensurately increased. Upon the press there rests a peculiar duty to the public. It subsists upon public patronage. Its very life depends upon the hearing which it receives. Its fortunes vibrate as does that of the ear drum of the public. It owes to its readers and to the public an obligation to relate fully the facts regarding the Government and public affairs. It possesses facilities for ascertaining accurate and complete information with relation to men and issues which the citizen as an individual can never possess. In its larger sweep it is both the eye and the ear of the citizen. He may read the history of the past in books. He reads the history of to-day in the press.

#### SHOULD BE SUPPORTED

But if the press owes a duty to the public, there rests upon the public a very distinct obligation to the press, and that is the obligation to support it. Many forms of service are rendered by the newspaper. The paper of purely local circulation, as well as the paper of wide circula-

tion, performs a valuable function. The country weekly just as the city daily has its sphere of service. Community life and civic enterprises make many drafts upon its columns for which there is no monetary return. The editor is expected to lead in local enterprises. His time and talents are drafted. Charitable and public organizations must be served. The press should have the financial support of the public which it serves. It ought to be independent in purse as well as in thought. Advertisers and readers are just as necessary as news. The press can not render the highest service when the editor must constantly fight for financial existence. If the press is to support the cause of the public, it must in turn have the support of the people.

#### LIFTS VEIL OF SECRECY

Secrecy in government is contrary to the genius of a free people. It was against the closed doors of the star chamber that the champions of English liberty hurled their attacks. The press alone can destroy such secrecy. The Constitution gives to debates in Congress absolute privilege. Representatives and Senators may utter what they please in their respective Houses and may not be held to answer for their words in any other place. That freedom, however, would avail little if the press did not carry their words to the people.

In the early days of the Republic the Houses of Congress frequently transacted their business behind closed doors. The House of Representatives first abandoned that practice. Freneau, of the party of Jefferson, attacked the Senate for its secrecy. Among other things he said: "Can there be any question of legislative importance which free-men should not be acquainted with? What are you to expect when stewards of your household refuse to give account of their stewardship? Secrecy is necessary to design a masque to treachery; honesty shrinks not from the public eye."

Gradually, however, public opinion compelled reform until at present secret sessions of the Senate are confined to action on appointments and the consideration of treaties. In quite recent times, although the ban of secrecy has not always been invoked in such cases, it is generally observed. The public is concerned with presidential appointments of officers and diplomats. The power which they are to exercise is the people's power. Their salaries are paid from the people's treasury. Of all the officers and employees of the Federal establishment, consisting of several hundred thousands, only 531 are elected by the people—435 Representatives, 96 Senators, and the President and the Vice President. All of the remainder secure their tenure by appointment of the Executive. Treaties with foreign governments are, within their proper province, binding on the citizen. They involve peace and war. They hold the fate of nations. Our relations with foreign nations may call the boys of the land to the red fields of battle and waste the national treasure. Woodrow Wilson put his finger on the seat of international intrigue and conspiracy that have spilled the blood of millions and caused countless misery when he denounced secret diplomacy as the author of the woes of war. Substantial progress in the direction of peace has been attained in the registration and publication of treaties.

There can be urged no satisfactory reason why these vital concerns of the people should be considered behind the mask of secrecy. Why should the reasons for and against the confirmation of ambassadors be buried in the public archives? Why should the merits and demerits of those who are to sit as judges for life—to rule over the life and property of the citizen—be withheld from the public? Why should appointments to commissions and bureaus that exercise power over the people be confirmed behind closed doors? Why should the Senate screen from the view of the public its deliberations upon treaties that pledge the lives and fortunes of its citizens? The business of the people should be transacted in the open. There should be no chamber the people can not enter. There should be no whispered words that the ear of the people can not hear—no screen behind which the eye of the people can not see. The Senate should open its doors.

Tyrannical governments have in all times feared the press. Wrongs and abuses endeavor to hide themselves. Arbitrary and cruel despotism can not long survive in the pitiless sunlight. When men can witness in the open the making and administration of measures which oppress and exploit them they will not long be tolerated. This has ever made monarchs and autocrats the enemies of a free press. To-day Mussolini in his dream of Empire is more and more suppressing the freedom of speech and the press as he gradually gathers into his hands all of the powers of the Italian State.

In our neighbor State of New Mexico, within recent years, a courageous fight was made by a member of the press against the tyranny of a judge. Carl Magee in resisting the pretensions of power of an arrogant autocrat deserves not alone your gratitude but that of the people. Publicity is a relentless enemy of wrongdoing. A vivid example is at hand. In publishing the revelations of the Walsh investigating committee and the scandals that disgraced the Department of Justice and other branches of the Government, the press rendered an outstanding and useful service to the country. Again in presenting the details of the primary elections in Pennsylvania, wherein \$3,000,000 were poured into the ballot boxes of that State, and in Illinois where a million dollars tarnished the voting booths of the people, it disclosed to the people these

dangerous attacks upon self-government. The publication of these astounding expenditures crystallized a public opinion which was almost instantaneously reflected in Washington. It is doubtful if either of the Senators nominated in such primaries will ever be allowed to take his seat in the Senate.

#### RIGHT TO CRITICIZE UPHOLD

The power of the Executive in foreign affairs is such that he may, without consulting the people, commit the country to a policy from which it may not without embarrassment recede or place the country in a posture of grave difficulty. Because of criticism of the Executive's course in foreign affairs within recent months, President Coolidge in his New York speech of April 25, 1927, said:

"Whenever any section of our press turns on America and on American institutions, and assumes a foreign attitude, every informed person knows that it has fallen from the high estate which is our common heritage, and, becoming no longer worthy of regard, is destined to defeat and failure. No American can profit by selling his own country for foreign favor."

This charge was resented by the majority of the press. The Republican, Camden (N. J.) Post replied: "Better have honest newspapers which disagree with the administration than a fawning press, which coddles the party in power." The Detroit-News remarks: "We lack evidence that Secretary Kellogg is omniscient," while the New York World, observes: "One would have supposed that Mr. Coolidge had lived long enough—to realize that neither Frank B. Kellogg—nor the elegant young men in the State Department are directly inspired." The Louisville Times exclaims: "Tut, tut, Mr. President. A press which criticizes you and Mr. Kellogg is criticizing you and Mr. Kellogg, not America and American institutions." The secrecy of the State Department and its failure to give the facts to the press aroused its distrust and criticism. There is no freedom if it is to be confined to adulation and applause of an administration and its brief authority. Fawning sycophants could flatter rulers before the dawn of freedom. The freedom to oppose and expose, to express unfavorable as well as favorable opinion, is alone real freedom. It protects foolish opinion as well as wise opinion. It is a forum in which error has its chance. Truth ought not to fear the contest. Public opinion is more powerful than party platforms. It is more compelling than caucuses or conventions. It is the dominant force in the life of this Republic. In large measure that opinion is molded by the press. The newspapers of America can arouse the people to a high pitch of enthusiasm for a cause or sweep them with passion into opposition. But the freedom of the press, is not a private possession of a newspaper to be enjoyed as its private property. It is a possession of all free men. It is a sacred public trust. Its exercise is vested in the press to serve all men. For political freedom patriots have suffered the hardships of camp and have died upon a hundred bloody fields. In the battles for the freedom of the press, heroic men have languished in foul jails. They have braved the tyranny of despots—they have had their presses and property destroyed. Inch by inch, its standard has been advanced, until to-day it enjoys a power and prestige unsurpassed by any other single agency in the life of our people.

#### FREE PRESS VALUABLE

A press of independence, a press whose business office does not overawe its editorial rooms, a press whose columns carry the truth, a press of high courage and patriotism, is one of the richest possessions of a free people.

Before revolution against wrong can be generated there must arise a consciousness of wrong and a will to right it. Before abuses can be corrected we must know of their existence. Before corruption can be punished it must be dragged from the darkness in which it hides out into the light. Before a fraud can be revealed there must be torn from it the mask that conceals its dissembling face. We must have a free press if we are to have a free government.

Here in America has been set up the great experiment in self-government. Here popular government under a written constitution is on trial. Here democracy is now being tested, and here it is to be tested in the years to come. The United States is to answer whether our institutions are to join those that live no more. Here is to be settled whether men at the ballot box in time of peace can hold fast to liberties won at the point of the bayonet in time of war. When the ragged soldiers who had shivered and suffered amidst the rigors of Valley Forge and the hardy mountaineers who had fought at Cowpens and Kings Mountain gathered under the banners of Washington and at Yorktown triumphed over royal armies they pulled down the ensign of a king and lifted high the standard of a people. The divine right of kings was dead. The Constitution of the United States was erected upon the theory that all political power resides in the people. By written guaranties the citizen is protected against the power of government. Liberty under a constitutional democracy was given to the world. Under its inspiration the people of France rose and struck from their cramped and festering limbs the shackles of centuries. It gave courage to the heart of Bolivar as he liberated Latin America from the yoke of Spain. It stirred aspirations for liberty in many

lands. It gave impulse to constitutionalism wherever it struggled with absolutism. It has endured for 140 years. It has stood the stress of war from without and has survived the shock of war from within. It has weathered many storms. A decade ago it plunged into a war that rocked the globe and spilled the blood of millions. It saved democracy for the world. It must now save democracy for itself. It must be saved from the tyranny of a Lenin and the despotism of a Mussolini. It must be saved from corrupt elections and bribed officials. It must be saved from the indifference of its citizens and from the perversion of its powers to selfish and sordid ends. Only the people themselves can save it. They can save it only when they are informed as to the state of their Government and the influences they must combat. To the press they must look for the truth. In their name it was given its freedom. Their blood purchased the liberty which it enjoys. Its high destiny, its lofty mission, is to use its own freedom to secure and to give to the people that truth which shall make them free.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 9481) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8269) entitled "An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes."

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

H. R. 1405. An act granting six months' pay to Maria J. McShane; and

H. J. Res. 104. Joint resolution granting consent of Congress to an agreement or compact entered into between the State of New York and the State of Vermont for the creation of the Lake Champlain Bridge Commission and to construct, maintain, and operate a highway bridge across Lake Champlain.

#### ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 7, 1928, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, February 7, 1928, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON APPROPRIATIONS

(2 p. m.)

Department of Agriculture appropriation bill.

##### COMMITTEE ON AGRICULTURE

(10 a. m.)

To establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce (H. R. 7940).

And other bills relating to farm relief.

##### COMMITTEE ON EDUCATION

(10.30 a. m.)

To provide for a more complete development of vocational education in the several States (H. R. 9201).

##### COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To permit the admission, as nonquota immigrants, of certain alien wives and children of United States citizens (H. R. 6974).

##### COMMITTEE ON LABOR

(10 a. m.)

To divest goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners of their interstate character in certain cases (H. R. 7729).



COMMITTEE ON THE MERCHANT MARINE AND FISHERIES  
(10.30 a. m.)

To amend an act entitled "An act for the regulation of radio communications," approved February 23, 1927 (H. R. 8825).

COMMITTEE ON ROADS  
(10 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," approved July 11, 1916, as amended and supplemented (H. R. 358, 383, 5518, 7343, and 8832).

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads," approved July 11, 1916, as amended and supplemented, and authorizing appropriation of \$150,000,000 per annum for two years (H. R. 7019).

COMMITTEE ON RIVERS AND HARBORS  
(11 a. m.)

A meeting to consider favorable reports from the office of the Chief of Engineers on rivers and harbors projects.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE  
(10 a. m.)

To promote the unification of carriers engaged in interstate commerce (H. R. 5641).

COMMITTEE ON THE JUDICIARY  
(10 a. m.)

To authorize the appointment of special United States commissioners (H. R. 5608).

To authorize district courts of the United States to provide for reports of misdemeanor cases by United States commissioners (H. R. 8555).

To facilitate disposition of the business of United States district courts (H. R. 8556).

To provide for the procedure in the trial of certain criminal cases by the district courts of the United States (H. R. 8230).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

339. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of Agriculture for the fiscal year 1929, for \$7,000, to enable the Secretary of Agriculture to extend the leased wire used by the Bureau of Agricultural Economics in connection with its market news service for farm products from Atlanta, Ga., to Montgomery, Ala. (H. Doc. No. 170); to the Committee on Appropriations and ordered to be printed.

340. A letter from the Acting Secretary of Commerce, transmitting statement of the expenditures in the Coast and Geodetic Survey for the fiscal year ended June 30, 1927; to the Committee on Expenditures.

341. A letter from the Secretary of the Treasury, transmitting report showing the number of documents received and distributed by the Treasury Department during the calendar year ended December 31, 1927, together with the number remaining on hand January 1, 1928; to the Committee on Printing.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSON of Illinois: Committee on Military Affairs. H. R. 10146. A bill to authorize appropriations for construction at Scott Field, Ill., and for other purposes; without amendment (Rept. No. 576). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Indian Affairs. H. R. 462. A bill providing for a per capita payment of \$100 to each enrolled member of the Chippewa Tribe, of Minnesota, from the funds standing to their credit in the Treasury of the United States; with amendment (Rept. No. 589). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 487. A bill to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 367. A bill to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes; without amendment (Rept. No. 591). Referred to the Committee of the Whole House on the state of the Union.

Mr. McFADDEN: Committee on Banking and Currency. H. R. 10151. A bill to amend section 9 of the Federal reserve act; without amendment (Rept. No. 592). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GLYNN: Committee on Military Affairs. H. R. 1508. A bill to provide for the retirement of August Wolters as a first sergeant, United States Army; without amendment (Rept. No. 573). Referred to the Committee of the Whole House.

Mr. CHAPMAN: Committee on Military Affairs. H. R. 3681. A bill for the relief of Charles F. Reilly; without amendment (Rept. No. 574). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 6377. A bill for the relief of John Shannon; without amendment (Rept. No. 575). Referred to the Committee of the Whole House.

Mr. LANGLEY: Committee on Claims. H. R. 1588. A bill for the relief of Louis H. Harmon; with amendment (Rept. No. 577). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 1616. A bill for the relief of Carl C. Back; with amendment (Rept. No. 578). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Claims. H. R. 5075. A bill for the relief of W. J. Bryson; with amendment (Rept. No. 579). Referred to the Committee of the Whole House.

Mr. WARE: Committee on Claims. H. R. 6842. A bill for the relief of Joseph F. Friend; without amendment (Rept. No. 580). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 8809. A bill for the relief of George W. Burgess; without amendment (Rept. No. 581). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 8499. A bill for the relief of Arthur C. Lueder; without amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. CELLER: Committee on Claims. H. R. 10417. A bill for the relief of George Simpson and R. C. Dunbar; without amendment (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. DREWRY: Committee on Naval Affairs. H. R. 4608. A bill for the relief of Claude S. Betts; without amendment (Rept. No. 584). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 10276. A bill providing for sundry matters affecting the naval service; without amendment (Rept. No. 585). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 1182. A bill for the relief of John Anderson; with amendment (Rept. No. 586). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 1183. A bill for the relief of Thomas Conlon; without amendment (Rept. No. 587). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 2009. A bill for the relief of James M. Pierce; without amendment (Rept. No. 588). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10455) granting a pension to Carrie Hemingway; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3719) granting an increase of pension to Emily F. Squires; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 10539) for the improvement of Horn Harbor, Va.; to the Committee on Rivers and Harbors.

By Mr. HOCH: A bill (H. R. 10540) to credit retired commissioned officers of the Coast Guard with active duty during the World War performed since retirement; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLADAY: A bill (H. R. 10541) in reference to the public-school system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD of Nebraska: A bill (H. R. 10542) granting the consent of Congress to the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at Decatur, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 10543) to repeal the provision in "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, 1919," approved May 25, 1918, requiring certificates of competency for farmers in the Indian Service; to the Committee on the Civil Service.

By Mr. LUCE: A bill (H. R. 10544) to abolish the office of administrative assistant and disbursing officer in the Library of Congress and to reassign the duties thereof; to the Committee on the Library.

Also, a bill (H. R. 10545) to create an establishment to be known as the national archives, and for other purposes; to the Committee on the Library.

By Mr. McLEOD: A bill (H. R. 10546) to regulate the interstate shipment of firearms; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN: A bill (H. R. 10547) to establish and maintain one or more pecan experimental stations, one located in the tenth congressional district of Texas; to the Committee on Agriculture.

By Mr. McKEOWN: A bill (H. R. 10548) to authorize United States commissioners to hear all complaints of misdemeanor violations of the law, and for other purposes; to the Committee on the Judiciary.

By Mr. NEWTON: A bill (H. R. 10549) to amend section 11 of an act entitled "An act to limit the immigration of aliens into the United States, and for other purposes" (sec. 211, title 8, of the United States Code), approved May 26, 1924; to the Committee on Immigration and Naturalization.

By Mr. GARBER: A bill (H. R. 10550) to provide for the acquisition by Meyer Shield Post No. 92, American Legion, Alva, Okla., of lot 19, block 41, the original town site of Alva, Okla.; to the Committee on the Public Lands.

By Mr. ENGLAND: A bill (H. R. 10551) authorizing pavement of F Street, South Charleston, W. Va., adjoining the United States naval plant; to the Committee on Naval Affairs.

By Mr. JENKINS: A bill (H. R. 10552) to amend section 6 of the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. KELLY: A bill (H. R. 10553) to grant authority to the Postmaster General to enter into contracts for the transportation of mails by airships to foreign countries and insular and Territorial possessions of the United States for periods of not more than 10 years, and to pay for such service at fixed rates per pound, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. KEMP: A bill (H. R. 10554) providing for the transfer of the title to the military reservation at Baton Rouge, La., to the Louisiana State University and Agricultural and Mechanical College; to the Committee on Military Affairs.

By Mr. RATHBONE: A bill (H. R. 10555) to restore the house in which President Lincoln died to its former condition and appearance; to the Committee on the Library.

Also, a bill (H. R. 10556) to acquire Fort Stevens, in the District of Columbia, and such other land as may be necessary to preserve said fort as a historic landmark; to the Committee on Military Affairs.

By Mr. SCHNEIDER: A bill (H. R. 10557) granting to the State of Wisconsin certain public land for use as a public park; to the Committee on the Public Lands.

By Mr. WILLIAMS of Missouri: A bill (H. R. 10558) to erect a Federal building in the city of Farmington, Mo., on the site now owned by the United States Government; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10559) to provide for the purchase of a site and the erection thereon of a public building in the city of Perryville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. BERGER: A bill (H. R. 10560) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. FULMER: A bill (H. R. 10561) authorizing the establishment of the South Carolina migratory-bird refuge; to the Committee on Agriculture.

By Mr. HARE: A bill (H. R. 10562) to establish a farm surplus board; to aid in the orderly marketing, control, and

disposition of surplus of agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. SINNOTT: A bill (H. R. 10563) extending the provisions of the recreational act of June 14, 1926 (44 Stat. 741), to former Oregon & California Railroad and Coos Bay Wagon Road grant lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. COLLIER: A bill (H. R. 10564) to authorize the Secretary of War to grant and convey to the county of Warren a perpetual easement for public highway purposes over and upon a portion of the Vicksburg National Military Park, in the State of Mississippi; to the Committee on Military Affairs.

By Mr. ROBSON of Kentucky: A bill (H. R. 10565) to authorize an appropriation for the relief of the State of Kentucky on account of roads and bridges damaged or destroyed by the recent floods; to the Committee on Roads.

By Mr. WILLIAM E. HULL: A bill (H. R. 10566) granting the consent of Congress to the city of Peoria, Peoria County, Ill., to construct, maintain, and operate a free highway bridge across the Illinois River at or near Peoria, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: A bill (H. R. 10567) to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property; to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 10568) to foster agriculture and to stabilize the prices obtained for agricultural commodities by providing for the issuance of export debentures upon the exportation of such commodities; to the Committee on Agriculture.

By Mr. NELSON of Maine: Joint resolution (H. J. Res. 193) for the appointment of Roy L. Marston, of Maine, as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. STRONG of Kansas: Joint resolution (H. J. Res. 194) authorizing the President to ascertain, adjust, and pay certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920, as per a certain contract authorized by the President; to the Committee on War Claims.

## MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. BECK of Wisconsin: Memorial of the Legislature of the State of Wisconsin, relating to the Norris resolution proposing an amendment to the Constitution of the United States for the earlier seating of Congress and advancing the date of the inauguration of the President and Vice President from March 4 to January 2; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial of the Legislature of the State of Wisconsin, relating to the negotiation of a treaty with Canada for the early completion of the Great Lakes-Saint Lawrence seaway; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the Congress to preserve the scenic beauty of the Menominee Indian Reservation for the public, to withhold any permit for the leasing and development of the water power belonging to Indians by private interests; to the Committee on Indian Affairs.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin, relating to the negotiation of a treaty with Canada for the early completion of the Great Lakes-Saint Lawrence seaway; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Wisconsin, relating to the Norris resolution proposing an amendment to the Constitution of the United States for the earlier seating of Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the Congress of the United States to make a full survey of the Wisconsin Fox Rivers waterway and to enact such legislation as will result in the completion of such waterway; to the Committee on Rivers and Harbors.

By Mr. LEATHERWOOD: Memorial of the Legislature of the State of Utah, protesting against the passage of the Swing-Johnson bill pending in Congress, or other similar legislation; to the Committee on Irrigation and Reclamation.

By Mr. SCHNEIDER: Memorial of the Legislature of the State of Wisconsin, urging Congress to create a special committee to thoroughly investigate the coal strike in all its phases; to the Committee on Rules.



Also, memorial of the Legislature of the State of Wisconsin, urging the Congress of the United States to enact necessary legislation for a survey of the Wisconsin-Fox Rivers waterway; to the Committee on Rivers and Harbors.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 10569) for the relief of Gilbert P. Chase; to the Committee on Claims.

By Mr. ALLEN: A bill (H. R. 10570) granting a pension to Thomas S. Shull; to the Committee on Pensions.

By Mr. BACON: A bill (H. R. 10571) granting an increase of pension to Isabella C. S. Gildersleeve; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 10572) for the relief of Patrick Collins; to the Committee on Military Affairs.

By Mr. BLAND: A bill (H. R. 10573) for the relief of Southern Shipyard Corporation; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 10574) granting a pension to Mary Etta Buchanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10575) granting an increase of pension to Ellen Froman; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Iowa: A bill (H. R. 10576) granting a pension to Emma Kelsey; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Missouri: A bill (H. R. 10577) granting an increase of pension to Margaret Mead; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 10578) granting an increase of pension to Clarence S. Smythe; to the Committee on Pensions.

Also, a bill (H. R. 10579) granting a pension to Isaac M. H. Fletcher; to the Committee on Pensions.

By Mr. EDWARDS: A bill (H. R. 10580) granting a pension to Glenn Edward Hall; to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 10581) granting an increase of pension to Marion G. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10582) granting an increase of pension to Ida K. Lauderback; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10583) granting an increase of pension to Flora Seymore; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 10584) granting an increase of pension to Sarah Rooks; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 10585) granting an increase of pension to Henrietta Ritter; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 10586) authorizing the Secretary of War to award a congressional medal of honor to James B. Crea; to the Committee on Military Affairs.

Also, a bill (H. R. 10587) granting a pension to Anderson Cox; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 10588) granting a pension to Herman Green; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10589) granting an increase of pension to Charles A. Bills; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 10590) providing for an examination and survey of Michigan City Harbor, Michigan City, Ind.; to the Committee on Rivers and Harbors.

By Mr. HOWARD of Nebraska: A bill (H. R. 10591) for the relief of Kittie R. Miller; to the Committee on War Claims.

By Mr. MORTON D. HULL: A bill (H. R. 10592) granting a pension to Mabel Jane Maher Boosey; to the Committee on Pensions.

By Mr. WILLIAM E. HULL: A bill (H. R. 10593) granting a pension to Mary Jane Howes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10594) granting an increase of pension to Mary E. McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10595) granting a pension to Dilla A. Garvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10596) granting a pension to Francis Clyde Long; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10597) granting an increase of pension to Margaret A. Louthan; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 10598) granting an increase of pension to Mary E. Lamb; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 10599) granting a pension to Louisa Wiegand; to the Committee on Invalid Pensions.

By Mr. KADING: A bill (H. R. 10600) granting an increase of pension to Sarah Fuchs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10601) granting a pension to Anna Jeremio-son; to the Committee on Pensions.

By Mrs. LANGLEY: A bill (H. R. 10602) granting a pension to William Cunagim; to the Committee on Pensions.

By Mr. MAAS: A bill (H. R. 10603) for the relief of Robert P. Partlow; to the Committee on Military Affairs.

By Mr. MAJOR of Missouri: A bill (H. R. 10604) granting a pension to William L. Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10605) for the relief of Max L. Chaudet; to the Committee on the Civil Service.

By Mr. MENGES: A bill (H. R. 10606) granting a pension to Carrie Wilt; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 10607) granting a pension to Callie M. Lyon; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 10608) granting an increase of pension to Timothy Sweeney; to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 10609) for the relief of W. F. Trimble & Sons Co. (Inc.); to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 10610) granting an increase of pension to Ellen V. Heiner; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 10611) for the relief of Homer Elmer Cox; to the Committee on Naval Affairs.

By Mr. SEARS of Nebraska: A bill (H. R. 10612) granting an increase of pension to Elizabeth Woodruff; to the Committee on Pensions.

Also, a bill (H. R. 10613) granting an increase of pension to Alfred G. J. Petersen; to the Committee on Pensions.

Also, a bill (H. R. 10614) granting an increase of pension to Hannah P. M. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10615) granting a pension to Theodore K. Rudd; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 10616) granting an increase of pension to Mary H. Devore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10617) granting an increase of pension to Emily A. T. Braas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10618) granting a pension to Mira P. Brown; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 10619) for the relief of Margaret Constable; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 10620) granting an increase of pension to Harriet Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10621) granting an increase of pension to Kittie L. Updike; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 10622) for the relief of George T. Smith; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 10623) for the relief of Lon Snepp; to the Committee on Claims.

Also, a bill (H. R. 10624) for the relief of William J. Casey; to the Committee on Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 10625) granting a pension to Edwin L. Crow; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 10626) granting an increase of pension to Anna E. Allen; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10627) granting an increase of pension to Amanda Lightfoot; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10628) granting a pension to John H. Terry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10629) granting a pension to Laura Jane Dehnen; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Missouri: A bill (H. R. 10630) granting an increase of pension to Bashaba A. Forshee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10631) granting a pension to Susan A. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10632) granting an increase of pension to Julie Friedrich; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10633) granting an increase of pension to Anna Liza Manring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10634) granting an increase of pension to Hannah C. Roberts; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3183. By Mr. ALLEN: Petition signed by William T. Love, of Aquaka, Ill., and other citizens of Henderson County, Ill., urging the passage of an act to create a public trust, to be known as the "Federal home, farms, and agriculture trust," as outlined by proposals of William T. Love; to the Committee on Labor.

3184. By Mr. BARBOUR: Letter of Mrs. W. P. Miller and Mrs. E. M. McCardle, of Fresno, Calif., protesting against the big Navy program; to the Committee on Naval Affairs.

3185. Also, petitions of residents of the seventh congressional district of California, protesting against the passage of the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

3186. Also, resolution adopted by Porterville Poultry Association, of Porterville, Calif., relative to appropriations for the United States Tariff Commission; to the Committee on Appropriations.

3187. By Mr. BEERS: Petition of members of the congregation of the Lower Tuscarora Presbyterian Church of the Huntingdon Presbytery, requesting favorable action on and enactment into law of House bill 78; to the Committee on the District of Columbia.

3188. By Mr. BOHN: Petition opposing House bill 78 by citizens of Kewadin, Mich.; to the Committee on the District of Columbia.

3189. By Mr. BLOOM: Petition of Mr. John McCarthy, of 722 Amsterdam Avenue, New York City, and other citizens of the United States, who add their protest to House bill 78, a bill for compulsory Sunday observance; to the Committee on the District of Columbia.

3190. Also, petition of O. C. Johnson, of 631 West Two hundred and seventh Street, New York City, and hundreds of other citizens of the United States, who add their protest to House bill 78, a bill for compulsory Sunday observance; to the Committee on the District of Columbia.

3191. By Mr. BROWNING: Petition for increase of pension to Civil War soldiers and widows; to the Committee on Invalid Pension.

3192. By Mr. BROWNE: Petition of citizens of Clintonville, Waupaca County, Wis., protesting against House bill 78, and all other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3193. By Mr. BUCKBEE: Petition of A. E. Casper and 194 other citizens of Rockford, Ill., protesting against House bill 78, known as the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3194. Also, petition of Henry Jaeger and 100 other citizens of Holcomb, Ill., protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3195. Also, petition of Mrs. Elmer W. Marsh and several other citizens of Sheridan, Ill., protesting against House bill 78 (Lankford compulsory Sunday observance bill); to the Committee on the District of Columbia.

3196. By Mr. BURTON: Petition of citizens of Oberlin, Ohio, protesting against any ambitious Navy program, and stating that if America's peace gestures are to carry any significance to the world the United States must not initiate a huge armament race; to the Committee on Naval Affairs.

3197. By Mr. CARTER: Petition of the council of the city of Richmond, Calif., urging that Congress cause a Federal investigation of the affairs of the Pacific Telephone & Telegraph Co.; to the Committee on Interstate and Foreign Commerce.

3198. By Mr. CONNERY: Petition of citizens of Lynn, Mass., to favor the bill to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3199. Also, resolution of Post 291, American Legion, East Lynn, Mass., in favor of a large Navy for the United States; to the Committee on Naval Affairs.

3200. By Mr. COOPER of Wisconsin: Memorial of the Wisconsin Legislature, relating to the leasing of the water powers on the Menominee Indian Reservation to private interests; to the Committee on Indian Affairs.

3201. By Mr. CLARKE: Petition from the citizens of Endicott, N. Y., and vicinity, protesting against House bill 78; also from the citizens of Otego, N. Y., and vicinity, protesting against House bill 78; to the Committee on the District of Columbia.

3202. By Mr. DEAL: Petition by citizens of Norfolk, Va., protesting against the passage of House bill 78, providing for compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

3203. By Mr. DYER: Petition signed by citizens of St. Louis, Mo., protesting against passage of the Brookhart bill; to the Committee on Interstate and Foreign Commerce.

3204. By Mr. ESLICK: Petition of J. F. Morgan, J. W. Dement, and others, of Lawrenceburg, Tenn.; to the Committee on the District of Columbia.

3205. Also, petition of C. A. Freeman and others, of Lawrenceburg, Tenn.; to the Committee on the District of Columbia.

3206. Also, petition of J. S. Rooker and others; to the Committee on the District of Columbia.

3207. By Mr. EVANS of California: Petition of W. H. Gallup and approximately 5,000 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3208. Also, petition of Byron G. McKibben and approximately 103 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3209. Also, petition of J. E. Kavanaugh and approximately 470 others, in opposition to House bill 6465, amending the immigration act of 1924; to the Committee on Immigration and Naturalization.

3210. Also, petition of Henry H. Hayings and approximately 416 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3211. Also, petition signed by Charles Miller and approximately 10,170 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3212. By Mr. ROY G. FITZGERALD: Petition of 70 citizens of Dayton, Ohio, praying for the defeat of House bill 78, making Sunday observance compulsory in the District of Columbia; to the Committee on the District of Columbia.

3213. By Mr. FRENCH: Petition of two citizens of Wallace, Idaho, protesting against enactment of House bill 78, or any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3214. Also, petition of 51 citizens of Moscow and Samuels, Idaho, protesting against enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3215. By Mr. GARBER: Petition and letter of William Sheafe Chase, superintendent of the International Reform Federation, Washington, D. C., asking that the national prohibition act be amended to "prevent evasion, to remedy weaknesses, and to stop nullification of the act"; to the Committee on the Judiciary.

3216. Also, letter of H. V. Kahle, secretary-treasurer of the Associated Industries of Oklahoma, Oklahoma City, Okla., in protest to the enactment of House bill 8125; to the Committee on Public Buildings and Grounds.

3217. Also, letter of J. R. Holmes, of the Sapulpa City schools, Sapulpa, Okla., in support of the education bill (H. R. 7); to the Committee on Education.

3218. Also, letter of John H. W. Fenyvessy, 71 Traymore Avenue, Buffalo, N. Y., in support of Senator BROOKHART's bill (S. 1667); to the Committee on Interstate and Foreign Commerce.

3219. Also, letter of H. H. McClintock, president of the Crystal Ice & Cold Storage Co., of Bartlesville, Okla., in protest to the enactment of House bill 8125; to the Committee on Public Buildings and Grounds.

3220. Also, letter of Mrs. W. B. Mathis, chairman of the ladies' auxiliary of the Oklahoma Rural Letter Carriers' Association, of Sapulpa, Okla., in support of the Gibson bill, providing for a more liberal retirement act and the Reece road bill providing for improvements of the rural mail route roads; to the Committee on the Post Office and Post Roads.

3221. Also, petition of residents of Blackwell, Okla., in support of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3222. Also, petition of residents of Alfalfa County, Okla., in protest to the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3223. By Mr. GARNER of Texas: Memorial of executive board of the West Texas Chamber of Commerce, against restriction of Mexican immigration; to the Committee on Immigration and Naturalization.

3224. By Mr. GALLIVAN: Petition of Old Blake House Chapter, Daughters of American Revolution, Dorchester, Mass., Mrs. H. S. Fraser, corresponding secretary, indorsing Joint Resolution 11 in regard to proper use and abuse of the United States flag; to the Committee on the Judiciary.

3225. By Mr. GIBSON: Petition of Barre and Williamstown, Vt., opposing pending legislation for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

3226. By Mr. HALL of North Dakota: Petition of 10 citizens living at Bismarck, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance bill; to the Committee on the District of Columbia.



3227. Also, petition of seven citizens living at Bismarck, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3228. Also, petition of eight citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3229. Also, petition of two citizens living at Harvey and one citizen living at McClusky, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3230. Also, petition of five citizens living at Ludden, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3231. Also, petition of 11 citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other Sunday observance legislation; to the Committee on the District of Columbia.

3232. Also, petition of two citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3233. Also, petition of 54 citizens living at Medina, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3234. Also, petition of 46 citizens living at Forbes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3235. Also, petition of 35 citizens living at Driscoll, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3236. Also, petition of eight citizens living at Derring, one citizen living at Glenburn, one citizen living at Upham, and one citizen living at Wolseith, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3237. Also, petition of three citizens living at Devils Lake and one citizen living at Dunseith, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3238. Also, petition of eight citizens living at Jamestown and two citizens living at Millerton, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3239. Also, petition of 10 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3240. Also, petition of 28 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3241. Also, petition of seven citizens living at Streeter and three citizens living at Napoleon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3242. Also, petition of one citizen living at LaMoure, one citizen living at Tuttle, and one citizen living at Steele, all of the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3243. Also, petition of four citizens living at Streeter and four citizens living at Napoleon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3244. Also, petition of 31 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3245. Also, petition of 25 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3246. Also, petition of six citizens living at Fessenden, N. Dak., against the enactment of House bill 78, or any other

compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3247. Also, petition of four citizens living at Fessenden, seven citizens living at Manfred, one citizen living at Bowdon, and one citizen living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3248. Also, petition of 11 citizens living at Manfred, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3249. Also, petition of seven citizens living at Manfred, two citizens living at Harvey, and two citizens living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other Sunday observance legislation; to the Committee on the District of Columbia.

3250. Also, petition of eight citizens living at Manfred, one citizen living at Chaseley, and one citizen living at Harvey, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3251. Also, petition of eight citizens living at Manfred, one citizen living at Chaseley, one citizen living at Goodrich, and one citizen living at Monango, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3252. Also, petition of two citizens living at Manfred and one citizen living at Fessenden, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3253. Also, petition of 11 citizens living at Fessenden and one citizen living at Bowdon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3254. Also, petition of three citizens living at Manfred, three citizens living at Harvey, and one citizen living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3255. Also, petition of 11 citizens living at Robinson, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3256. Also, petition of nine citizens living at Deering and five citizens living at Upham, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3257. Also, petition of four citizens living at Pettibone and six citizens living at Woodworth, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3258. Also, petition of nine citizens living at Valley City, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3259. By Mr. HARDY: Petition of A. P. Evans and 332 citizens of Otero County, Colo., protesting against the enactment of any compulsory Sunday observance bill; to the Committee on the District of Columbia.

3260. By Mr. KNUTSON: Petition of Miss Grace Holt, Oak Island, Minn., and others, protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3261. Also, petition of Michael Johnson, and others, protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3262. By Mr. HAUGEN: Petition of 38 adult citizens of Fredericksburg, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3263. Also, petition of 24 citizens of Fredericksburg, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3264. Also, petition of 84 citizens of Charles City, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3265. By Mr. HICKEY: Petition of Frank Barnhart and other citizens of Michigan City, Ind., opposing the passage of compulsory Sunday observance bill; to the Committee on the District of Columbia.

3266. By Mr. HOCH: Petition of Lola Evans and 95 other adult residents of Emporia, Kans., protesting against passage of House bill 78, or any compulsory Sunday bills that have been introduced; to the Committee on the District of Columbia.

3267. By Mr. HOWARD of Nebraska: Petition signed by Robert L. Whitaker, of Oakland, Nebr., and other citizens of that city, protesting against the passage of the Lankford bill (H. R. 78) or any other legislation proposed in behalf of compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

3268. By Mr. JOHNSON of Texas: Petition of Mexia Battery & Tire Co., of Mexia, Tex., protesting against the passage of legislation to regulate the manufacture and sale of stamped envelopes, and opposing Senate bill 1752; to the Committee on the Post Office and Post Roads.

3269. Also, petition of Hearne Chamber of Commerce, of Hearne, Tex., indorsing House bill 9201; to the Committee on Education.

3270. Also, petition of H. J. H. Melin, of Cameron, Tex., indorsing House bill 6518; to the Committee on the Civil Service.

3271. By Mr. KIESS: Petition from citizens of Tioga County, Pa., protesting against the passage of House bill 78, known as the Sunday observance bill; to the Committee on the District of Columbia.

3272. By Mr. KINDRED: Resolution of the American Institute, of the city of New York, that a certain bill relating to public health and providing for the establishment of a national institute of health and increased appropriations for the Hygienic Laboratory, introduced into the second session of the Sixty-ninth Congress by Senator RANDELL, be, and hereby is, approved; to the Committee on Agriculture.

3273. Also, resolution of Gen. Harrison Gray Otis Post, No. 1537, Veterans of Foreign Wars, as follows: "As a body of men retired from the service associated in comradeship and renewal of acquaintanceship under the banner of the Veterans of Foreign Wars, we respectfully petition The Adjutant General, United States Army, to approve and recommend to Congress the passage of legislation which will increase the allowances to men on the retired list of the services, etc."; to the Committee on Invalid Pensions.

3274. By Mr. KVALE: Petition of several residents of Pope County, Minn., protesting against Sunday laws; to the Committee on the District of Columbia.

3275. Also, petition of 31 residents of Pope County, Minn., protesting against Sunday laws; to the Committee on the District of Columbia.

3276. By Mr. LEATHERWOOD: Resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to predatory animals; to the Committee on Agriculture.

3277. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to the tariff; to the Committee on Ways and Means.

3278. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to fabric legislation; to the Committee on Interstate and Foreign Commerce.

3279. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to intermediate-credit banks; to the Committee on Agriculture.

3280. Also, petition of numerous citizens of Salt Lake City and surrounding cities, against repealing the national origins act and to immigration legislation in general; to the Committee on Immigration and Naturalization.

3281. By Mr. LEHLBACH: Petition of citizens of Newark, N. J., protesting against compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3282. By Mr. MACGREGOR: Petition of citizens of Buffalo, protesting against the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3283. By Mr. McFADDEN: Petition of residents of Mill Rift, Pike County, protesting against Sunday observance bills, especially House bill 78; to the Committee on the District of Columbia.

3284. By Mr. McREYNOLDS: Petition, containing 66 names, from the voters of Cleveland, Bradley County, Tenn., in opposition to the passage of the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3285. By Mr. MAAS: Petition of Alice R. Ely and 33 petitioners from St. Paul and Minneapolis, Minn., relative to Civil War pension legislation; to the Committee on Invalid Pensions.

3286. By Mr. MADDEN: Petition of citizens of Chicago, Ill., protesting against the passage of the Brookhart bill; to the Committee on Interstate and Foreign Commerce.

3287. By Mr. MAJOR of Missouri: Petition of citizens of Slater and Gilliam, Mo., protesting against the passage of House bill 78, or any other national religious legislation which may be pending; to the Committee on the District of Columbia.

3288. By Mr. MAPES: Petition of Rev. E. J. Tanis, president, and Anthony A. Nienhuis, secretary, Consistorial Union of Reformed Churches, of Holland, Mich., for the passage of House bill 78; to the Committee on the District of Columbia.

3289. By Mr. MICHENER: Petition of sundry citizens of Washtenaw and Jackson Counties, Mich., protesting against the passage of the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3290. By Mr. MILLER: Petition of Government employees of Seattle, Wash., indorsing House bills 492 and 6518; to the Committee on the Civil Service.

3291. By Mr. MOORE of Ohio: Petitions favoring increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

3292. By Mr. MORROW: Petition of citizens of Hagerman, N. Mex., protesting against enactment of House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

3293. Also, petition of Dona Ana County Farm Bureau, Las Cruces, N. Mex., protesting against enactment of law restricting Mexican immigration; to the Committee on Immigration and Naturalization.

3294. Also, petition of Chamber of Commerce, Albuquerque, N. Mex., protesting against enactment of law restricting Mexican immigration; to the Committee on Immigration and Naturalization.

3295. By Mr. MURPHY: Petition of Inez P. Blackburn and 200 women of the Women's Christian Temperance Union, of East Palestine, Ohio, protesting against Secretary Wilbur's huge naval program; to the Committee on Naval Affairs.

3296. Also, petition of Mrs. Carl Ryan and 78 others, protesting against the passage of the compulsory Sunday observance laws; to the Committee on the District of Columbia.

3297. By Mr. NEWTON: Petition sent by C. E. Powers and signed by other Minneapolis citizens, against compulsory Sunday observance; to the Committee on the District of Columbia.

3298. By Mr. O'BRIEN: Petition of citizens of Swandale, W. Va., protesting against the enactment into law of the compulsory Sunday observance bill (H. R. 78), or any similar measure; to the Committee on the District of Columbia.

3299. Also, petition of veterans of the Civil War, of Ivydale, Clay County, W. Va., urging Congress to increase pensions of the Civil War veterans; to the Committee on Invalid Pensions.

3300. By Mr. O'CONNELL: Petition of the National Retail Dry Goods Association of New York, opposing certain provisions of the revenue bill (H. R. 1); to the Committee on Ways and Means.

3301. Also, petition of Chamber of Commerce of the State of New York, with regard to recommendations regarding the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

3302. Also, petition of the defender Photo Supply Co. (Inc.), of Rochester, N. Y., favoring the passage of House bill 9195, Cuban parcel post; to the Committee on the Post Office and Post Roads.

3303. Also, petition of the Ohio Chamber of Commerce, Columbus, Ohio, concerning the Swing-Johnson bill; to the Committee on Irrigation and Reclamation.

3304. Also, petition of the Columbia Basin Irrigation League, Spokane, Wash., favoring the passage of House bill 7029; to the Committee on Irrigation and Reclamation.

3305. Also, petition of the American Dental Association, Chicago, Ill., favoring the passage of House bill 5766; to the Committee on Interstate and Foreign Commerce.

3306. Also, petition of the Todd Co., of Rochester, N. Y., favoring the passage of the Cuban parcel post bill; to the Committee on the Post Office and Post Roads.

3307. Also, petition of the North East Service (Inc.), of Rochester, N. Y., favoring the passage of House bill 9195, the Cuban parcel post bill; to the Committee on the Post Office and Post Roads.

3308. Also, petition of Charles C. Lacker and three other citizens of Pittsburgh, Pa., favoring the passage of House bill 125, to increase the salaries of clerks and bailiffs of the United States courts; to the Committee on the Judiciary.

3309. Also, petition of the Page Seed Co., Greene, N. Y., with reference to first, third, and fourth class postal rates; to the Committee on the Post Office and Post Roads.

3310. By Mr. ROBINSON of Iowa: Petition urging that immediate steps be taken to pass the Civil War widow's pension bill, signed by Martha M. Brewster and about 130 citizens of



Dubuque, Dubuque County, Iowa; to the Committee on Invalid Pensions.

3311. By Mr. SEARS of Nebraska: Petition of several hundred residents of Omaha and Douglas Counties, Nebr., against House bill 78, the Lankford bill; to the Committee on the District of Columbia.

3312. By Mr. SELVIG: Petition of Alfred Swanson and 25 adult citizens of Detroit Lakes, Minn., protesting against the passage of House bill 78, or of any bill that will give preference of one religion above another; to the Committee on the District of Columbia.

3313. Also, petition of Hans Hanson and five other adult residents of Moorhead, Minn., protesting against the passage of House bill 78, or of any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

3314. By Mr. SHREVE: Petition of J. H. Humphrey and numerous residents of Corry, Pa., and Spartansburg, Pa., against the passage of the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

3315. Also, petition of Robert J. Mechaney and 200 or more citizens of Erie, Pa., protesting against the passage of the Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3316. Also, petition of F. H. DeLand and other citizens of Erie, Pa., against the passage of the Lankford Sunday observance bill; to the Committee on the District of Columbia.

3317. By Mr. SINCLAIR: Petition of numerous residents of Dickinson, Epping, Alexander, Rawson, Williston, Sanish, and Ross, N. Dak., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3318. By Mr. SMITH: Resolution of the Swedish Evangelical Mission Church, of Idaho Falls, Idaho, protesting against the new quota in the Federal immigration law and urging the continuance of the old quota provisions; to the Committee on Immigration and Naturalization.

3319. By Mr. SWING: Petition of citizens of San Diego County, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3320. Also, petition of citizens of Holtville, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3321. Also, petition of citizens of San Diego, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3322. Also, petition of citizens of Fullerton, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3323. Also, petition of citizens of Yorba Linda, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3324. Also, petition of citizens of Arlington, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3325. Also, petition of citizens of Orange, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3326. By Mr. TAYLOR of Colorado: Petition from citizens of Paonia, Colo., protesting against House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3327. By Mr. TEMPLE: Petition of Local, No. 1441, United Brotherhood of Carpenters and Joiners of America, Canonsburg, Pa., and Council No. 199, Order of Independent Americans, McDonald, Pa., in support of House bill 25 and Senate bill 1727, known as the Dale-Lehlbach retirement bill; to the Committee on the Civil Service.

3328. By Mr. TEMPLE: Petitions of number of residents of Washington, Pa., protesting against enactment of House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3329. By Mr. THATCHER: Petition of numerous citizens of Louisville, Ky., favoring increased pensions to Civil War soldiers and their survivors; to the Committee on Invalid Pensions.

3330. By Mr. THOMPSON: Resolution of the Community Institute, Grover Hill, Ohio, favoring continuance of corn borer campaign; to the Committee on Agriculture.

3331. By Mr. THURSTON: Petition of 37 citizens of Clarinda, Iowa, petitioning the Congress against the passage of House bill 78, or the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3332. By Mr. TILLMAN: Petition of various citizens of Arkansas, asking for speedy passage of pension bills; to the Committee on Invalid Pensions.

3333. Also, petition of John Brown and many other citizens of Benton County, Ark., asking for the passage of the Pea Ridge military park bill; to the Committee on Military Affairs.

3334. Also, petition of Ruch Johnson and other citizens of Madison County, Ark., against passage of House bill 78; to the Committee on the District of Columbia.

3335. By Mr. STRONG of Kansas: Petition of citizens of Concordia, Rydal, and Belleville, Kans., protesting against the passage of the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3336. Also, petition of voters of Belleville, Kans., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3337. By Mr. UNDERWOOD: Petition of residents of Basil, Ohio, and Baltimore, Ohio, favoring pension increase for Civil War veterans and widows; to the Committee on Invalid Pensions.

3338. By Mr. WARE: Petition of citizens of Kenton and Campbell Counties, Ky., asking that Congress increase the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3339. By Mr. WELCH of California: Petition of Charles A. Morris and 190 citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78) compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3340. Also, petition of Clara S. Scouler and several hundred citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78), compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3341. Also, petition of Andre Carlsen and 193 citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78), compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3342. By Mr. WHITE of Colorado: Petition of the Denver Film Board of Trade, Denver, Colo., and sundry other citizens, protesting the passage of the bill known as the Brookhart bill for the regulation, production, distribution, and exhibition of copyrighted films; to the Committee on Interstate and Foreign Commerce.

3343. By Mr. WINTER: Resolution protesting against further restriction of Mexican immigration; to the Committee on Immigration and Naturalization.

3344. Also, petitions against compulsory Sunday observance, signed by residents of Dubois, and Casper, Wyo., against the Sunday observance law; to the Committee on the District of Columbia.

3345. By Mr. WYANT: Petition of Theodore B. Appel, M. D., secretary of health of Pennsylvania, protesting against stream pollution bill (H. R. 9282); to the Committee on Rivers and Harbors.

3346. Also, petition of Northside (Pa.) Unitarian Church, protesting against navy building program; to the Committee on Naval Affairs.

3347. Also, petition of employees of United States district court, Pittsburgh, Pa., indorsing House bill 125; to the Committee on the Judiciary.

## SENATE

TUESDAY, February 7, 1928

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Almighty God, Father of all mercies, we bless Thee for all that Thou art in Thyself, to us as yet unknown, and for all that Thou revealest from day to day. For every creature that ministers to our need; for our homes, our loved ones, and our friends; for the examples of the past and the counsels of the present; for Thine infinite blessings to our fathers and Thy promises to their children—make us truly thankful. And give us such a sense of all Thy mercies that we may show forth Thy praise, not only with our lips but in our lives, by giving up ourselves to Thy service and by walking before Thee in holiness and righteousness all the days of our life. Through Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS, and by unanimous consent, the further reading was dispensed with and the Journal was approved.