Congressional Record

PROCEEDINGS AND DEBATES OF THE SEVENTIETH CONGRESS
FIRST SESSION

SENATE

FRIDAY, *February 24, 1928*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who in all the ages hast revealed Thy power and mercy in the preservation and protection of those who put their trust in Thee, grant that the people of this land, upon which Thou hast showered Thy blessings, may show forth their thankfulness by a loving obedience to Thy laws. And may these Thy servants, in their every endeavor for the common good, learn to be patient with themselves and with each other.

Make us all to know that as the brooding of the mind is slowly transmuted into the readiness of the will, so the wrestling of the arms of desire importuning a blessing may only slowly become that energy which as a prince has power with God, and thus prevails. Grant this, O Lord, for the sake of Him in whom Thy loving patience is revealed, Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. JONES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Dill	Keyes	Sackett
Barkley	Ferris	King	Schall
Bayard	Fess	La Follette	Sheppard
Bingham	Fletcher	McKellar	Shipstead
Black	Frazier	McLean	Smoot
Blaine	George	McMaster	Steiwer
Blease	Gerry	McNary	Stephens
Borah	Gillett	Mayfield	Swanson
Bratton	Glass	Metcalf	Thomas
Brookhart	Greene	Neely	Tydings
Broussard	Hale	Norbeck	Tyson
Bruce	Harris	Norris	Walsh, Mass.
Capper	Harrison	Nye	Walsh, Mont.
Caraway	Hawes	Oddie	Warren
Copeland	Hayden	Phipps	Waterman
Couzens	Heflin	Pittman	Watson
Curtis	Howell	Ransdell	Willis
Cutting	Johnson	Reed, Pa.	
Dale	Jones	Robinson, Ark.	
Deneen	Kendrick	Robinson, Ind.	

Mr. COPELAND. My colleague the junior Senator from New York [Mr. WAGNER] is in Pennsylvania on official business connected with the investigation of the coal strike. I request that this announcement may stand for the day.

Mr. FLETCHER. My colleague the junior Senator from Florida [Mr. TRAMMELL] is unavoidably detained from the Senate. I wish this announcement to stand for the day.

Mr. GERRY. I desire to announce that the junior Senator from Montana [Mr. WHEELER] is absent in Pennsylvania with the special Senate committee investigating the coal strike.

The VICE PRESIDENT. Seventy-seven Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

Mr. COPELAND presented the petition of the World War Veterans' Conference (numbering over 25 per cent of the 1928 New York State Legislature), praying for the prompt passage of the so-called Tyson-Fitzgerald bill, providing for the retirement of disabled emergency officers of the World War, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Buffalo, N. Y., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

He also presented telegrams in the nature of petitions from Manhattan Chapter, No. 42, of New York City, and Schenectady Chapter, No. 125, both of the Order of Ahepa, and sundry citizens of Hellenic descent at Schenectady, all in the State of New York, praying for adoption of the pending debt settlement between Greece and the United States as tending to strengthen existing friendly relations between both countries, which were referred to the Committee on Foreign Relations.

Mr. WILLIS presented a memorial of sundry citizens of Cincinnati, Ohio, remonstrating against the passage of the so-called Brookhart bill, relative to the distribution of motion pictures in the various motion-picture zones of the country, which was referred to the Committee on Interstate Commerce.

Mr. BINGHAM presented a letter, in the nature of a petition, from the president of Carlson-Sjovall Unit, American Legion Auxiliary, of Cromwell, Conn., praying for adoption of the naval building program, which was referred to the Committee on Naval Affairs.

He also presented a telegram, in the nature of a petition, from the American Legion Auxiliary of West Haven, Conn., praying for adoption of the naval building program, which was referred to the Committee on Naval Affairs.

He also presented telegrams, in the nature of petitions, from the Waterbury Chapter; Archimedes Chapter, No. 26, of Meriden; and Chapter No. 99, of Stamford, all of the Order of Ahepa, and sundry citizens, all in the State of Connecticut, praying for adoption of the pending debt settlement between Greece and the United States, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. NYE, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3023) to revise the boundary of a portion of the Hawaii National Park, on the island of Hawaii, in the Territory of Hawaii (Rept. No. 374); and

A bill (H. R. 9842) to provide for the survey, appraisal, and sale of the undisposed lots in the town site of St. Marks, Fla. (Rept. No. 375).

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred 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, reported it with an amendment and submitted a report (No. 376) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred 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, reported it without amendment and submitted a report (No. 377) thereon.

Mr. METCALF, from the Committee on Territories and Insular Possessions, to which was referred the bill (H. R. 84) to approve Act 25 of the Session Laws of 1927 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Waimea and Kekaha, in the district of Waimea, on the island and in the county of Kauai, Territory of Hawaii," reported it without amendment and submitted a report (No. 378) thereon.

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6194) for the relief of Frank Stinchcomb, reported it without amendment and submitted a report (No. 379) thereon.

Mr. TYDINGS, from the Committee on Naval Affairs, to which was referred the bill (S. 3131) to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty reported it without amendment and submitted a report (No. 380) thereon.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

APPROPRIATIONS FOR THE WAR DEPARTMENT

Mr. REED of Pennsylvania. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 10286) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes, and I submit a report (No. 381) thereon. I give notice that I shall ask to take up this bill for consideration as soon after 2 o'clock on Monday as the business of the Senate will permit.

The VICE PRESIDENT. The bill will be placed on the calendar.

ADMINISTRATION OF DALLAS FEDERAL RESERVE BANK

Mr. DENEEN. I report back favorably with an amendment, from the Committee to Audit and Control the Contingent Expenses of the Senate, the resolution (S. Res. 152) submitted by the Senator from Texas [Mr. MAYFIELD] on the 20th instant, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, on page 2, line 16, after the dollar mark, to insert "2,500," so as to make the resolution read:

Whereas it is alleged that the affairs of the Federal Reserve Bank of Dallas, Tex., have been administered in a manner which has worked many hardships on the farming and livestock interests in the territory included in the eleventh Federal reserve district; and

Whereas it is alleged that there is a lack of cooperation on the part of the governor of such bank with member banks in the rural communities; and

Whereas it is desirable to bring about a conclusion of the controversy in order to do justice to all concerned: Therefore be it

Resolved, That the Committee on Banking and Currency of the Senate, or a duly authorized subcommittee thereof, is hereby authorized and directed to make a full and complete investigation of the administration of the affairs of the Federal Reserve Bank of Dallas, Tex., and to report thereon to the Senate as soon as practicable. For the purposes of this resolution such committee or subcommittee is authorized to hold hearings, to sit and act at such times and places, to employ such experts and clerical, stenographic, and other assistance, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of such committee or subcommittee, which shall not be in excess of $2,500, shall be paid from the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The preamble was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. CARAWAY:

A bill (S. 3361) authorizing the Secretary of the Interior to convey to the city of Hot Springs, Ark., all of lot No. 3 in block No. 115 in the city of Hot Springs, Ark.; to the Committee on Public Lands and Surveys.

By Mr. ROBINSON of Arkansas:

A bill (S. 3362) granting the consent of Congress to Henry Thane, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River; to the Committee on Commerce.

By Mr. DENEEN:

A bill (S. 3363) to amend section 117 of the Judicial Code; to the Committee on the Judiciary.

By Mr. COPELAND:

A bill (S. 3364) to provide for the placing of the names of certain individuals on the rolls of the War Department, and to authorize the Board of Regents of Smithsonian institution to make certain recommendations; to the Committee on Military Affairs.

By Mr. KENDRICK:

A bill (S. 3365) to authorize allotments to unallotted Indians on the Shoshone or Wind River Reservation, Wyo.; and

A bill (S. 3366) to authorize a per capita payment to the Shoshone and Arapahoe Indians of Wyoming from funds held in trust for them by the United States; to the Committee on Indian Affairs.

By Mr. WALSH of Montana:

A bill (S. 3367) to amend the United States grain standards act requiring wheat standards to take account of the percentage of protein content in wheat; to the Committee on Agriculture and Forestry.

By Mr. CAPPER:

A bill (S. 3368) to amend the packers and stockyards act, 1921; to the Committee on Agriculture and Forestry.

By Mr. DALE:

A bill (S. 3369) granting a pension to Vina Brooks (with accompanying papers); and

A bill (S. 3370) granting an increase of pension to Clara H. Shedd (with accompanying papers); to the Committee on Pensions.

By Mr. METCALF:

A bill (S. 3371) granting an increase of pension to Anna Arnold (with accompanying papers); and

A bill (S. 3372) granting an increase of pension to Lydia Augusta Patterson (with accompanying papers); to the Committee on Pensions.

A bill (S. 3373) for the relief of John F. Hayes; and

A bill (S. 3374) to provide for hospitalization of enlisted men of the Navy and Marine Corps transferred to the retired list or to the Fleet Naval Reserve on the completion of 16 or more years of naval service; to the Committee on Naval Affairs.

By Mr. ODDIE:

A bill (S. 3375) to amend sections 23 and 24 of the general leasing act approved February 25, 1920 (41 Stat. L. 437); to the Committee on Public Lands and Surveys.

By Mr. REED of Pennsylvania:

A bill (S. 3376) to regulate the procurement of motor transportation in the Army; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 3377) for the relief of Walter Dickey; to the Committee on Naval Affairs.

By Mr. SWANSON:

A bill (S. 3378) for the relief of Arthur M. Thompson; and

A bill (S. 3379) for the relief of the Harrison Construction Co.; to the Committee on Claims.

A bill (S. 3380) for the relief of T. Abraham Hetrick (with an accompanying paper); to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 3381) granting a pension to Patrick M. Shea (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3382) for the relief of the estate of Benjamin Fenton, late surviving partner of Fenton & Co.; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 3383) granting a pension to Nellie Sherril; and

A bill (S. 3384) granting an increase of pension to Mary E. Clayton; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3385) to provide for the improvement and modernization of the Western Public Market in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BRUCE:

A bill (S. 3386) for the relief of the Charlestown Sand & Stone Co., of Elkton, Md.; to the Committee on Claims.

By Mr. METCALF:

A joint resolution (S. J. Res. 99) to amend joint resolution directing the Interstate Commerce Commission to take action relative to adjustments in the rate structure of common carriers subject to the interstate commerce act, and the fixing of rates and charges; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A joint resolution (S. J. Res. 100) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction or commission into the service was not, through no fault of their own, formally completed on or prior to November 11, 1918, and for other purposes; to the Committee on Military Affairs.

CHANGES OF REFERENCE

On motion of Mr. KEYES, the Committee on Public Buildings and Grounds was discharged from the further consideration of the bill (S. 3262) to establish a national cemetery at Fort Bayard, N. Mex., and it was referred to the Committee on Military Affairs.

Mr. FRAZIER. On the 21st the bill (H. R. 8824) to provide for the protection of the watershed within the Carson National Forest from which water is obtained for the Taos pueblo, N. Mex., came to the Senate from the House and was referred to the Committee on Public Lands and Surveys. This bill is identical with Senate bill 2361, which is now before the Committee on Indian Affairs, and the bill from the House should have been referred to that committee. I ask unanimous consent that the Committee on Public Lands and Surveys be

discharged from the further consideration of the bill and that it be referred to the Committee on Indian Affairs.

The PRESIDING OFFICER (Mr. WILLIS in the chair). Is there objection? The Chair hears none, and that order will be made.

AMENDMENTS TO DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. CAPPER submitted amendments intended to be proposed by him to House bill 11133, the District of Columbia appropriation bill, which were severally referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 6, line 7, strike out the period and insert a comma and the following: "and $2,640 additional for personal services of employees assigned to operation and maintenance of the Western Public Market at or near Twenty-first and K Streets NW.";

On page 6, line 11, strike out the figures "$6,000," and insert the following in lieu thereof: "$7,500, including the repair and maintenance of the Western Public Market at or near Twenty-first and K Streets NW."; and

On page 6, immediately after line 15, insert the following: "For repairs, improvements, and remodeling of Western Public Market, at or near Twenty-first and K Streets NW., including new roof, repainting, repaving walks, construction of storage room, installation of sanitary stands, and other necessary items, $50,000."

COLUMBIA (S. C.) FEDERAL LAND AND INTERMEDIATE CREDIT BANK

Mr. BLEASE submitted the following resolution (S. Res. 159), which was referred to the Committee on Banking and Currency:

Whereas criminal prosecutions were brought and 32 days actually consumed in trying certain criminal cases at which three defendants were convicted in the Federal court at Columbia, S. C., at the session closed on February 14, 1928, and at a cost exceeding $40,000, and preliminary investigations having cost approximately $60,000 more; and

Whereas testimony brought out thereat involved certain officials of the Federal land and intermediate credit bank located at Columbia, S. C.; and

Whereas there was much talk of mismanagement, gross carelessness, and irregularities on the part of the officers of the said Federal land and intermediate credit bank located at Columbia, S. C.; and

Whereas it is rumored that the manner in which the affairs of the said bank have been managed has worked hardships to the farmers of various sections of that district, and also has shown carelessness, negligence, and willfulness on the part of its officers in handling the funds belonging to the United States; and

Whereas it is desired to bring about a conclusion of the controversy and to find out exactly what are the conditions of said bank and what losses the Government has sustained by these criminal prosecutions and the mismanagement of the affairs of the said bank: Now, therefore, be it

Resolved, That the Committee on Banking and Currency of the Senate, or a duly authorized subcommittee thereof, is hereby authorized and directed to make a complete and full investigation of the administration of the affairs of the Federal Land & Intermediate Credit Bank of Columbia, S. C., and to report thereon to the Senate as soon as practicable. For the purposes of this resolution such committee or subcommittee is authorized to hold hearings, to sit and act at such times and places, to employ such experts and clerical, stenographic, and other assistance, to require by subpœna or otherwise the attendance of such witnesses, and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of such committee or subcommittee, which shall not be in excess of $, shall be paid from the contingent fund of the Senate.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1759. An act to authorize appropriation of treaty funds due the Wisconsin Pottawatomi Indians;

H. R. 5501. An act authorizing the Hermann Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Hermann, Gasconade County, Mo.;

H. R. 5502. An act authorizing the Washington Missouri River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Washington, Franklin County, Mo.;

H. R. 5722. An act authorizing the Rogers Bros. Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.;

H. R. 6639. An act authorizing the Centennial Bridge Co. of Independence, Mo. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Liberty Landing, Clay County, Mo.;

H. R. 6991. An act authorizing the erection of a nonsectarian chapel at the Army medical center in the District of Columbia, and for other purposes;

H. R. 8106. An act authorizing F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Arrow Rock, Saline County, Mo.; and

H. R. 8107. An act authorizing Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Miami, Saline County, Mo.

SUPPLEMENTAL ESTIMATE OF APPROPRIATION—ADDITIONAL FACILITIES AT WALTER REED GENERAL HOSPITAL (S. DOC. NO. 63)

The PRESIDING OFFICER (Mr. BLAINE in the chair) laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation, fiscal year 1929, for the War Department, for the construction of additional facilities at Walter Reed General Hospital, District of Columbia, in the amount of $310,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

NORTH DAKOTA: PAST, PRESENT, AND FUTURE

Mr. NYE. Mr. President, I ask unanimous consent that there be printed in the RECORD an address on North Dakota: Past, Present, and Future, delivered last evening before the North Dakota Society by former Gov. Joseph Devine, State commissioner of immigration.

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

ADDRESS OF FORMER GOV. JOSEPH DEVINE, OF NORTH DAKOTA

North Dakota is a big and good State. It has 70,000 square miles of land; more acres of land than New York, New Jersey, and Massachusetts combined, which States have a population of 18,774,000. North Dakota's population is 644,000. The State has 45,000,000 acres of arable land. It has 29,000,000 acres in farms, of which 19,000,000 are under cultivation—more acres under the plow than the great States of Oregon, Washington, and California combined. The average acreage per farm in North Dakota is 452; in the Middle West States east of us, 120.

North Dakota in 1919 produced 17,000,000 bushels of corn; 1923, 35,000,000 bushels. It is safe to say that in 15 years it will be one of the leading corn-producing States. It now leads all States in the production of No. 1 Hard and Durham wheat, barley, winter rye, turkeys, and honey, and fourth in oats production. In 1918 the State produced 290,000 hogs; 1927, 640,000. The State is now producing as good a milch cow as New York, Wisconsin, or Minnesota, and farm population considered, doing it more rapidly. In 1918 the value of dairy production was $19,000,000; in 1927, $49,000,000. It is producing as good a steer, hog, horse, or sheep upon its rich, low-level value land and can round them up for the market more cheaply with its corn, alfalfa, and sweet clover than can Iowa or Illinois upon their high-level value land.

In 1918 the value of the so-called diversified products was $59,000,000; in 1927, $169,000,000. The North Dakota farmer no longer has all his eggs in one basket, namely grain.

We are soon to be one of the great poultry States. In 1918 poultry production amounted to $3,712,000; the estimated value of poultry production in 1927, $17,200,000. It is unsurpassed as a great potato and vegetable State as to size, variety, quality, and ease of production. The North Dakota potato is eagerly sought by eastern consumers and southern potato growers for seed. It is now one of the leading sweet-clover and alfalfa States, both for seed and feed. In 1918 the acreage in sweet clover and alfalfa was 60,000; 1927, 495,000. In 1920 there were 170,000 sheep, all located in the southwest corner, or Missouri slope country. Now, well distributed over the State, there are 498,000.

The State produces all of her agricultural products with the season's rainfall, without irrigation, inoculation of soil, or a single ounce of commercial fertilizer, and will continue to do so for many years to come.

The State now leads in both volume and value of turkey production. In 1918 the production of turkeys just about met the consumption of the people who lived within its borders. North Dakota now commands the highest premium price in the market—particularly in the markets of Boston and New York. Annually, in North Dakota, there convenes the greatest showing of turkeys in the world. Fifteen States were represented in the last gathering.

The State now is the leading bee State, both in quality and quantity of production. In 1920 the State had 708 hives of bees. In 1927, 25,000 hives, and the estimated production was 3,000,000 pounds. The

North Dakota bureau of crop estimates shows in 1922 a production of 157 pounds to the hive, which was the highest of any State in the Union. Why this rapid development in production and quality? The answer is acres and acres of sweet clover; the long, warm, sunshiny days and the short, cool nights. The long days giving longer hours for bee work, and the short, cool nights precipitating in largest quantity the nectar in the clover blossoms.

When we became a State in 1889 Indiana as a State was 75 years old; Illinois, 71; Michigan, 52; Iowa, 43; Wisconsin, 41; Minnesota, 31; and Nebraska, 22. All these States of the Middle West have had from one to three generations the start of us, yet it can be said that the youthfulness of our State has not prevented us from taking a high place, both in general progress and in the volume and value of agricultural production. We as a State and people have gone far since that day and time. The great highways have been opened, the rough places made smooth, the fear and uncertainty of the earlier years dispelled, and under the strong, white light of intelligence, enterprise, industry, education, and progress are to be seen on every hand. The act of statehood marked the passing of the big ranches and the cowboy. Towns sprang rapidly up as if by magic where once the buffalo and antelope grazed. The farm and farm home now stand where once the Indian tepee stood. The school bell now calls 174,000 children of township, village, and city where once the coyote sent forth his high, tremulous, desolate call into the night. With a vast acreage yet to feel the plowshare, in 1924 we produced in value on our farms $457,361,000, the largest per capita value, $688, and the largest average farm value, $6,142, of any State in the Union, measured by population and number of farms. One of the big, new, and proper questions of these days is: What can a State or country do for humanity? North Dakota's very satisfactory answer to that question is, "We produce a greater quantity of human food, both for home and world-wide consumption, than any State of like numbers in the world."

The State has more people owning their own homes than any other State in the Union. Out of each 1,000, 653 own the homes in which they live, while the percentage of home owners for the country at large is 450 per 1,000. The State has no millionaires, but we have what is far better, a contented, forward-looking citizenry, whose sons and daughters of farm and city crowd our eight higher institutions of learning to capacity. Why? Because they live in a State whose per capita wealth is not only greater, but more evenly distributed, than any other State in this, the richest country in the world.

After all is said and done it is not land, wealth, or numbers, but rather the type and character of a people that best determines the right of that people for their "place in the sun." Measured by that standard North Dakota has nothing to fear. She can face the future secure, self-poised, and unafraid. Of the State's total population 515,000 were born in this country; of this number, 305,000 were born in North Dakota. As to the early pioneer settlers, the Middle West States contributed 68,000; the New England States, 6,000; the Eastern States, 9,000; and the Southern States, 4,000. Each sent of the best they had. Regarding the character and type of the foreign population, the British Isles and her colonies contributed 9,000; the Scandinavian races, 54,000; Germans and Russians of German strain, 45,000; Holland, Belgium, and France, 2,000. In all North Dakota there isn't enough scum from humanity's melting pot to make a typical pioneer village. North Dakota's citizenry is as sound as her No. 1 hard wheat and as clean as the air they breathe. Fortunate, indeed, was it for North Dakota and for all generations to come that the very early pioneers brought with them a deep and abiding faith in the great fundamental principles of law, order, society, home, church, and school. Upon these, as the firm foundation, they erected the superstructure of the new State. Because of that fact North Dakota is to-day, above everything else, a State of law, order, homes, churches, and schools.

North Dakota is justly proud of her system of education, measured from the district and consolidated schools, on our prairies, to that of the Agricultural College at Fargo and the State University at Grand Forks. We spend annually $14,800,000 for our common and high schools, and $3,250,000 biennially for our eight higher institutions of learning. North Dakota has but two-tenths of 1 per cent of illiteracy. That is a high goal to which the older States may well strive to reach.

We are abundantly well equipped as to cities, towns, and villages; we have State institutions—educational, penal, and charitable—in plenty; schools and churches in full measure; stores, banks, grain elevators, and wholesale houses in ample quantity; a great agricultural and health-giving climate; plenty of pure water, lakes, and rivers; sufficient rainfall and abundant sunshine. There are four transcontinental lines and their numerous branches cobwebbing the State in every direction—therefore, excellent transportation facilities. We have the existing executive machinery—State, county, and township—fully capable of rendering good, prompt service to a population of 1,500,000.

North Dakota has 600,000,000,000 tons of high-grade lignite coal, the greatest deposit of a continuous stretch of coal in any one locality in the world; greater than the combined coal deposits of England, France, and Germany, the great coal-producing and industrial nations of Europe, with a population of 116,000,000. We have enough coal to warm every home and turn every wheel in every factory in this country for 200 years and still barely scratch the surface of this special gift of God to the people of North Dakota. The day can not be far distant when this coal, long patiently awaiting the magic touch of organized capital, will produce the cheapest electricity the world knows and shoot it hundreds of miles away for heat, power, and light. What is needed? Vision, enterprise, organization, and capital.

North Dakota has one of the greatest deposits of high-grade pottery, brick, and chinaware in the world. We have many beautiful specimens of chinaware manufactured out of this clay, but as yet only in quantities sufficient for exhibition purposes. The clay, like our coal, awaits that day when business enterprise will cause the raw material to be transformed into trainloads of chinaware of the most delicate texture, beauty, and value. Pittsburgh is the steel center of this country. It gets its raw material in far away northern Minnesota. The Ohio River Valley is the great pottery and glass section of this country, but it gets some of its raw material from more or less distant points. Why these two great industries existing so far away from the raw materials, iron ore and clay? The answer is: "Coal, and, therefore, cheap power." North Dakota has the coal and clay lying side by side with transcontinental railroads passing by within a stone's throw of both. The child now lives who will see the western section of this State humming with factories and thousands of skilled artisans living in peace and prosperity within that section.

The State has a special beauty all her own—the broad, slightly rolling prairie lands are God's earth reduced to the highest state of perfection. A big world in its serene, beautiful, old age; they are meditative, peaceful, unafraid. It is a world of rest; kind, thoughtful brooding; a land made for homes and the carefree laughter of healthy, happy children. Its sunsets, painting in splendor the western skies—then the night and the stars. Our Clell G. Gannon, a writer, student, lover, and interpreter of the prairies and all that live thereon, has in his recent publication, Songs of the Bunch Grass Acres, expressed his thought of them in the following lines:

"I have seen cherries hanging overripe;
I have seen roses drenched in morning dew;
I have seen stars fall, trailing through the night,
In flares of gold across the star-flecked blue,
I have seen mountains fusing with the skies,
In conversation with the centuries;
I have seen sunsets dripping wet with dyes
Spilled recklessly—and dawns surpassing these!
And though I love them all, I have not seen
A sight more thrilling than a reach of plains,
Dressed in spring's vivid tapestry of green
Beneath a sun-soaked sky—after the rains!"

Civilization has ever moved westward; the country's population is rapidly increasing. Good land unoccupied in extent is rapidly decreasing. God is not making any more land. That task was forever finished when He said, "Let there be light, and there was light." Dependable prosperity has crossed the eastern border lines of the Red River of the North and swept across the "big" Missouri to the western border of the State. Within that long, wide stretch of country, housing is reasonable; rich, productive land cheaper, cost of living lower, and opportunities greater. The pioneer days of privation and isolation, of the sod barn and tar-paper shack are now as a tale that is told. Gravel-surfaced roads, the automobile, telephone, radio, and rural delivery have annihilated distance. Up-to-date creameries, packing plants, cold storage, and rapid transit deliver the farmers' finished product direct to the consuming centers of far-away Eastern States and cities. Thousands of our farm homes listen-in nightly to the best expressed thought the country can give in art, education, religion, science, literature, history, and industry. The North Dakota farm family are active, accredited members in the nation-wide extension course of business and cultural education. At no far distant day electricity will light farm homes and barns, milk the cows, cook the meals, churn cream into butter, sweep the floors, and do the washing. Why? Millions of acres covering billions of tons of coal within easy reach of the big steam shovel; therefore, cheap light, heat, and power.

In North Dakota to-day there is more faith and less doubt; more unity of thought and direction and less of dissension, both of farm and city, than at any time since statehood. Because of that pleasing fact there is every evidence that we are entering upon a new era of sound, constructive teamwork that is the harbinger of bigger and better things to come. We have the utmost respect for those who speak highly and believe thoroughly in the State in which they live. All States in this country have much that is praiseworthy. We of North Dakota should take the same commendable attitude. Our State is in every way worthy of all we can give and do for her. We live in a much bigger and better State than the people at home or the country at large have as yet conceived. To those who live in other States North Dakota will be what we tell them she is and to those who live here she will be what we make her. We must silence misrepresentation and substitute it with wholesome, dependable information. That knowledge will

come, indeed it is now gradually but just as certainly going over. To accomplish that very laudable purpose, North Dakota needs the combined effort of every loyal citizen.

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. Under the unanimous-consent agreement entered into on yesterday, the Senate will proceed to the consideration of unobjected bills on the calendar, beginning at No. 253.

MEMORIAL STATUE OF CARDINAL GIBBONS

The joint resolution (S. J. Res. 72) to grant permission for the erection of a memorial statue of Cardinal Gibbons was announced as first on the calendar. The joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and is hereby authorized and directed to grant permission to the Knights of Columbus, through Martin H. Carmody, the supreme knight of the Knights of Columbus, or his successors in office, for the erection, as a gift to the people of the United States, on public grounds, known as reservation 309-G, west of square 2675 which said reservation is bounded on the north by Park Road, on the east by Pine Street, and on the west by Sixteenth Street, and immediately in front of Sacred Heart Church in Washington, D. C., a memorial statue of the late James Cardinal Gibbons: *Provided*, That the design for the statue shall be approved by the Commission of Fine Arts: *And provided further*, That such statue shall be erected under the supervision of the Chief of Engineers, and that the United States shall be put to no expense in or by the erection of said statue.

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

MEMORIAL MONUMENT TO PACIFIC NORTHWEST PIONEERS

The joint resolution (S. J. Res. 33) authorizing the selection of a site and the erection of a memorial monument to the pioneers of the Pacific Northwest in Washington City, D. C., was considered as in Committee of the Whole, and was read, as follows:

Resolved, etc., That authority is hereby granted to the Oregon Trail Memorial Association (Inc.) to erect a memorial to the pioneers of the Pacific Northwest at such place in the city of Washington as may be designated by the Fine Arts Commission, subject to the approval of the Joint Committee on the Library, the model of the monument so to be erected to be first approved by the said commission and by the Joint Committee on the Library, the same to be presented by the said association to the people of the United States.

SEC. 2. That for the preparation of the site under the direction of the Director of Public Buildings and Public Parks of the National Capital, the sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Mr. KING. Mr. President, I would like to ask whether the statue is to be erected by the Government, and if so, what the aggregate cost to the Government will be? On page 2 of the joint resolution I notice that $10,000 is to be appropriated.

Mr. FESS. The joint resolution authorizes an appropriation of $10,000, which the Senator from Washington [Mr. JONES], who introduced the measure, will explain.

Mr. JONES. Mr. President, that is for the preparation of the site within the District, if one should be selected where grading and putting in shape would be required. That expense must be taken care of by the Government. Otherwise there is no expense to the Government. If a site is selected which does not require any grading, then, as in the case of the joint resolution passed a moment ago, there will be no expense to the Government.

Mr. KING. Where private corporations or voluntary associations seek the privilege of erecting a statue of some eminent person in the District of Columbia is it customary that the Government shall pay for the site or pay for preparing the site?

Mr. JONES. I understand it is in accord with the policy which has been pursued heretofore that where the site requires grading and special preparation it has been done by the Government, but all other expenses are borne by the association or organization which furnishes the statue.

Mr. KING. My recollection is that where voluntary associations or corporations are formed for the purpose of having a monument erected they pay for the cost. As I recall—my memory may be at fault—the cost of the statue to Buchanan was imposed upon the organization which inaugurated the movement, and I think the organization in that case was the State of Pennsylvania.

Mr. JONES. I do not know how that may be. If the Senator objects to that provision, in the interest of securing the passage of the joint resolution I can suggest an amendment. I hope, however, that the Senator will not insist, if there should be any expense in securing the site, that it should be imposed upon this pioneer organization.

Mr. KING. Let me make this suggestion: I shall not object, with the understanding that if upon inquiry it shall be discovered that it is not usual for the Government to make such appropriations the Senator will agree that the action of the Senate in passing the joint resolution may be reconsidered tomorrow morning.

Mr. JONES. That will be entirely satisfactory to me.

Mr. KING. With that understanding, I have no objection to the consideration of the joint resolution.

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

MEMORIAL TO SAMUEL GOMPERS

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 88) authorizing the erection on public grounds in the District of Columbia of a stone monument as a memorial to Samuel Gompers, which was read, as follows:

Resolved, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized and directed to select a suitable site and to grant permission to William Green, president, and Frank Morrison, secretary, of the American Federation of Labor, for the erection, as a gift to the people of the United States, on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, the Mall, and White House, of a stone monument in memory of Samuel Gompers: *Provided*, That the site chosen and the design of the memorial shall be approved by the Joint Committee on the Library, with the advice of the Commission of Fine Arts, that it shall be erected under the supervision of the Director of Public Buildings and Public Parks of the National Capital, and that the United States shall be put to no expense in or by the erection of the monument.

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

NATIONAL SURETY CO.

Mr. COPELAND. Mr. President, it will be recalled that on yesterday when the consideration of bills on the calendar was suspended the Senate had under consideration Order of Business 185, being the bill (S. 2335) for the relief of the National Surety Co. I ask that the Senate now return to that bill in order that its consideration may be completed. The Senator from Tennessee [Mr. MCKELLAR], I think, was offering an amendment to the bill when its consideration was suspended.

Mr. MCKELLAR. No.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Senator from New York asks unanimous consent to return to the consideration of the bill named by him. Is there objection?

Mr. MCKELLAR. I have no objection.

Mr. CURTIS. If the consideration of the bill is going to take time, I hope the Senator from New York will not ask its consideration, because we should like to get through the calendar this morning. We have not gone through the calendar for a long while.

The PRESIDING OFFICER. The Chair is informed that the bill, consideration for which is asked by the Senator from New York, is in the Senate and is ready to be fully acted on.

Mr. CURTIS. If its consideration will take no time, reserving the right to object if it shall take time, I will not object to the consideration of the bill.

Mr. KING. I ask the Senator from New York to make a brief explanation of the bill, because I objected to its consideration.

Mr. COPELAND. The National Surety Co. had paid a claim of $157.89, and it afterwards developed that the company was not liable because it did not write the policy until a few months after the loss; and the bill is to reimburse the company for the money improperly advanced by it. That is the purpose of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

TABLET AT BATTLE FIELD OF PERRYVILLE, KY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 48) to erect a tablet or marker to the memory of the Federal soldiers who were killed at the Battle of Perryville, and for other purposes, which was read, as follows:

Be it enacted, etc., That the sum of $5,000 be, and is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of erecting a tablet or marker on the grounds of the Battle of Perryville, near Perryville, in Boyle County, Ky., in honor of the Federal soldiers who took part in that battle, and many of whom are now buried therein, said tablet or marker to be erected in a suitable location, having reference to the monument erected by the State of Kentucky to the Confederate dead that also lie buried therein. Said sum to be dispensed by the Secretary of War, after he shall have approved the plans of said tablet or marker.

SEC. 2. That the Secretary of War is hereby authorized to accept, free of cost to the Government, a tract of land containing 4 acres, with the roadway 25 feet wide running from the east side of said tract to the Perryville Turnpike, and upon presentation of good and perfect title to said tract of land the Secretary of War is authorized and directed to establish thereon a national cemetery.

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

ESTATE OF PETER P. PITCHLYNN

The bill (S. 1705) authorizing the Court of Claims to render judgment in favor of the administrator of or collector for the estate of Peter P. Pitchlynn, deceased, instead of the heirs of Peter P. Pitchlynn, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, will the Senator from Oklahoma [Mr. THOMAS], who introduced this bill, give an explanation as to the necessity for the passage of the measure.

Mr. THOMAS. Mr. President, the reason for the passage of this bill may be stated very briefly. The Court of Claims at a former time was authorized to make and did make a finding in favor of the heirs of Peter P. Pitchlynn. Those heirs are widely scattered, and there has been some complication in making an adjustment under the award of the Court of Claims. This bill is introduced and its passage is sought for the purpose of permitting the award to be made to the estate of Peter P. Pitchlynn and to let the administrator handle it as he may see proper.

Mr. KING. The passage of the bill will not increase the award at all?

Mr. THOMAS. No.

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

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

Be it enacted, etc., That the Court of Claims is hereby authorized to render judgment in the suit of the heirs of Peter P. Pitchlynn, deceased, against the Choctaw Nation, No. 30532, now pending in said court on mandate from the Supreme Court of the United States in favor of the administrator of or collector for the estate of Peter P. Pitchlynn, deceased, appointed or to be appointed under the laws of the District of Columbia, for $3,113.92, the amount the Court of Claims on June 9, 1924, found to be due the heirs of said Pitchlynn from the Choctaw Nation. Said judgment shall be paid out of any funds in the Treasury or custody of the United States belonging to the Choctaw Nation.

SEC. 2. To the above extent, the act of Congress approved June 21, 1906 (34 Stat. L. 325, 345), under which said suit was instituted in said Court of Claims is hereby amended, and all acts or parts of acts inconsistent herewith are hereby repealed.

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

PROPOSED CONSTITUTIONAL AMENDMENT PROHIBITING WAR

The joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States prohibiting war was announced as next in order.

Mr. BRUCE. Let that go over.

The PRESIDING OFFICER. The joint resolution will go over.

ELECTRIC PLANT AT HANAPEPE, KAUAI, HAWAII

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 83) to approve Act No. 24 of the Session Laws of 1927 of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanapepe, in the district of Waimea, island and county of Kauai."

The bill was read, as follows:

Be it enacted, etc., That act No. 24 of the Session Laws of 1927 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanapepe, in the district of Waimea, island and county of Kauai," passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on March 26, 1927, is hereby approved: *Provided*, That the authority in section 16 of said act for the amending or repeal of said act shall not be held to authorize such action by the Legislature of Hawaii except upon approval by Congress in accordance with the organic act.

Mr. KING. Mr. President, there are a number of measures, I understand, either in the House or in the Senate or in both, dealing with Hawaiian matters. I should be very glad if the Senator from Delaware, who reported the bill, would give us an explanation of it.

Mr. BAYARD. Mr. President, the report on this bill was submitted by me on behalf of the Committee on Territories and Insular Possessions. This bill covers a matter which is required under the organic act of Hawaii to be submitted to the Congress of the United States. It has to do with granting a franchise for an electric-light operation in Hawaii. An act for this purpose was passed by the Legislature of Hawaii and was approved by the governor, but under the organic act, as I have just stated, that act must come before Congress for final approval before it can become operative.

The committee looked into the matter very carefully. It will be seen from consulting the report that extensive quotations are made from the safeguarding clause of the charter as passed by the Hawaiian Legislature. It seems to be a very necessary operation. The facts are these: Here was a little village, situated between two large plantations, with a population of about 3,900 people. They have no electric-light facilities, and Mr. Gomes and his friends made application to the Hawaiian Legislature for a permit or a franchise. The permit was granted after due care and consideration. The act of the Hawaiian Legislature is a very extensive instrument and goes very carefully into all phases of the operation, safeguarding it and bringing it, generally speaking, under the supervision of the public utilities commission as to the issuance of securities, the disposition of the power, the rates, the examination of the books of the organization, and all needful things such as would be provided for in this country. The passage of the bill is recommended by the Governor of Hawaii.

Mr. KING. Will the Senator permit one question?

Mr. BAYARD. Certainly.

Mr. KING. Is it a franchise in perpetuity, or is it limited?

Mr. BAYARD. No, sir. If the Senator will read the report, he will see that it is a franchise limited to 50 years.

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

MARY CLERKIN

The bill (S. 205) to authorize the Secretary of the Treasury to pay the claim of Mary Clerkin was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Mary Clerkin, of Newtownbutler, county of Fermanagh, Ireland, $140 for the loss of certain laces which were destroyed in the fire in the appraiser's warehouse at New York City in May, 1909.

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

FRANK HANLEY

The bill (S. 802) for the relief of Frank Hanley was announced as next in order.

Mr. KING. I ask that that bill go over.

Mr. COPELAND. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. I will.

Mr. COPELAND. Mr. President, Frank Hanley, mentioned in the bill, had a leave of absence of 24 hours from his ship. When he came back to join his ship before his leave had expired the ship had sailed. Then, in company with other members of the crew he sailed to Savannah, Ga., because he was told that his ship had gone there; but when he got to Savannah he could not find it. Although he made every effort to rejoin his ship, this poor chap was thrown out and dishonorably discharged, when, as a matter of fact, it was physically impossible for him to reach the ship. The war was over at the time this happened. This man is now old, blind, and deaf,

and it is only right that his status should be restored and he be given an honorable discharge.

Mr. BRUCE. I will ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

DELAWARE RIVER BRIDGE NEAR BURLINGTON, N. J.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2800) authorizing E. K. Morse, his successors and assigns—or his or their heirs, legal representatives, and assigns—to construct, maintain, and operate a bridge across the Delaware River, at or near Burlington, N. J., which had been reported from the Committee on Commerce with amendments.

The first amendment was in section —, on page 1, line 6, before the word "hereby," to strike out "are" and insert "is," so as to make the section read:

That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, E. K. Morse, his successors and assigns—or his or their heirs, legal representatives, and assigns—be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Burlington, N. J., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 22, before the word "hereby," to strike out "are" and insert "is," so as to make the section read:

SEC. 3. The said E. K. Morse, his successors and assigns (or his or their heirs, legal representatives, and assigns), is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

OFFICE OF PUBLIC BUILDINGS AND PUBLIC PARKS

The bill (S. 1628) relating to the Office of Public Buildings and Public Parks of the National Capital was announced as next in order.

Mr. KING. I ask that that bill go over. A number of persons have been to see me in regard to the bill and have suggested some amendments. Whether they are proper or not I can not say; but I ask that the bill may be passed over, not that I have any inherent opposition, but I should like to inquire into the objections which have been brought to my attention.

The PRESIDING OFFICER. The bill will be passed over.

AUGUSTUS C. TURNER

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3144) for the relief of Augustus C. Turner, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Augustus C. Turner, who was a member of Company F, First Regiment, and Company B, Forty-fourth Regular United States Volunteer Infantry, and Troop M, Thirteenth United States Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of Troop M, Thirteenth United States Cavalry, on the 14th day of November, 1905: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. REED of Pennsylvania. Mr. President, I wish to ask about the title of the bill. As it appears on the calendar the title seems to be erroneous. The bill as it passed the House has the correct title.

The PRESIDING OFFICER. The Chair is advised that the title as passed by the House is the correct title, reading "For the relief of Augustus C. Turner."

Mr. REED of Pennsylvania. That is all right.

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

ELLA G. RICHTER

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2808) for the relief of Ella G. Richter, daughter of Henry W. Richter, which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 1, after the word "shall," strike out "accrue or be allowed in this case" and insert "be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Henry W. Richter, who was a member of Company A, Ninth Regiment Iowa Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 17th day of January, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. I should like to have an explanation of this bill. It seems as though the soldier was a deserter.

Mr. REED of Pennsylvania. Mr. President, this soldier served from May, 1861, down to December, 1863, in active service and received an honorable discharge. He obtained a furlough and at its expiration returned to his company. He says that he was placed on picket duty and was captured, but it happened on the same day that he returned from his furlough, and he was put on the records as a deserter, whereas the fact, as he testified, was that he was actually a prisoner.

The bill as it was presented in the House in behalf of the lady who seeks to have her dead father's record corrected, provided that she should not be entitled to any pension whatever, either past or future. She was solely prompted by a desire to have the record corrected so far as possible. The committee thought her attitude so creditable that we should give her the same privilege as the beneficiaries of other bills. That is the reason for the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time, and passed.

KENNETH B. TURNER

The bill (S. 133) for the relief of Kenneth B. Turner was announced as next in order. The bill had been reported adversely from the Committee on Military Affairs.

Mr. KING. I ask that the bill go over.

Mr. FESS. The Senator from California [Mr. SHORTRIDGE] is detained from the Senate and desired me to ask that this bill remain on the calendar without prejudice.

The PRESIDING OFFICER. Without objection, the bill will remain on the calendar without prejudice.

Mr. REED of Pennsylvania. Mr. President, I notice the bill itself as it appears on the calendar of bills was indefinitely postponed on February 8. If that is so, it has no place on the calendar.

The PRESIDING OFFICER. The Chair is advised that that is a mistake. The bill has been adversely reported, but it has not been indefinitely postponed.

PURCHASE OF LANDS IN BISMARCK, N. DAK.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2279) authorizing the Secretary of the Interior to purchase certain lands in the city of Bismarck, Burleigh County, N. Dak., for Indian school purposes, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to purchase for the Bismarck (N. Dak.) Indian school, from the Dakota Corporation, Bismarck, N. Dak., or its successors in interest, certain adjoining tracts of land within the limits of the city of Bismarck, Burleigh County, N. Dak., described as follows: The southeast quarter of the southeast quarter, containing 40 acres; part of the southwest quarter of the southeast quarter, containing 23 acres more or less; and part of the northwest quarter of the southeast quarter, containing 30 acres more or less, all in section 5, township 138 north, range 80 west of the fifth principal meridian, containing 93 acres more or less, subject to survey. The purchase price shall not exceed $120 an acre and the lands shall be warranted free of all encumbrances.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

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

KOOSHAREM BAND OF INDIANS, UTAH

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8292) to reserve 120 acres on the public domain for the use and benefit of the Koosharem Band of Indians residing in the vicinity of Koosharem, Utah, which was read, as follows:

Be it enacted, etc., That 120 acres of land described as the west half southwest quarter and southwest quarter northeast quarter section 9, township 27 south, range 1 west, Salt Lake meridian, Utah, be, and the same is hereby, reserved for the sole use and occupancy of the Koosharem Band of Indians in Utah: *Provided*, That the rights and claims of any bona fide settler initiated under the public land laws prior to November 5, 1927, the date of withdrawal of the lands from all form of entry, shall not be affected by this act.

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

BILL PASSED OVER

The bill (S. 2154) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, was announced as next in order.

Mr. BRATTON. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

HEIRS AND ALLOTMENTS OF DECEASED INDIANS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2155) to amend section 1 of the act of June 25, 1910 (36 Stat. L. 855), entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," which was read, as follows:

Be it enacted, etc., That when any Indian to whom an allotment of land has been made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee-simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing, under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent, he may, in his discretion, cause such lands to be sold: *Provided*, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by this or any other act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per cent of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid in deferred payments, a further amount, not exceeding 15 per cent of the purchase price, together with all interest paid on such deferred installments, may be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the heirs. Upon payment of the purchase price in full, the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: *Provided*, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent as their respective interests shall appear: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent: *Provided further*, That hereafter any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: *Provided*, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior.

Mr. KING. Mr. President, will the Senator from North Dakota explain this bill? I have not had an opportunity of reading the bill or the report. I should like to inquire whether it is sufficiently comprehensive to deal with the claims of all Indians for lands of which they have been dispossessed where they claim that the lands have been sold for prices far less than their real value and to their disadvantage. I am not quite clear as to the limitations of the bill.

Mr. FRAZIER. I do not think I get the full intent of the Senator's statement.

Mr. KING. I ask the Senator to explain the bill.

Mr. FRAZIER. Mr. President, this is a so-called departmental bill, introduced at the request of the department to take care of certain conditions in the Indian reservations. The report is quite full in regard to it. The bill was considered by the committee, and I think without any doubt is meritorious, and should be passed.

Mr. KING. Mr. President, I received a letter this morning from an Indian—and, by the way, I am receiving literally hundreds of them—complaining about the action of the department in cases where lands are communally held, so that if the person dies his heirs would not inherit an allocate part of the land, but whatever interest he had would go to the tribe. They are complaining that the Indian Bureau has taken upon itself the responsibility of carving out of lands so communally held a portion thereof, and allocating it to the heirs of the deceased, instead of permitting it to go to the tribe, when the heirs would receive the same interest in it that all other persons in the tribe would receive. I was wondering whether this measure was calculated to give to the Department of the Interior or the Indian Bureau the power to make these carvings and allocations where the land is held in a communal or tribal form by the Indians.

Mr. FRAZIER. I will say that I do not think that was the intention of this bill in any respect.

Mr. KING. I have a great deal of sympathy for the Indians. I believe that they have been wronged so often that I am very anxious to see that their rights are protected against the possibility of any invasion.

Mr. FRAZIER. I will say, further, that no objection at all was made to this bill when it was under discussion in the committee.

Mr. KING. Upon the statement of the Senator I have no objection to the consideration of the bill.

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

The PRESIDING OFFICER subsequently laid before the Senate the bill (H. R. 8291) to amend section 1 of the act of June 25, 1910 (36 Stat. L. 855), "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," which was read twice by its title.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from North Dakota to this bill.

Mr. FRAZIER. Mr. President, that measure was slightly amended on the floor of the House; but I think the amendment makes no material change, and it is accepted by the Interior Department. I move that the House bill be substituted for the Senate bill.

The PRESIDING OFFICER. Without objection, the votes whereby Senate bill 2155 was ordered to be engrossed for a third reading and passed will be reconsidered.

The Senator from North Dakota now asks unanimous consent that the House bill be substituted for the Senate bill. Without objection, that will be done.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8291) to amend section 1 of the act of June 25, 1910 (36 Stat. L. 855), "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes."

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

The PRESIDING OFFICER. Senate bill 2155 is indefinitely postponed.

LANDS IN INYO COUNTY, CALIF.

The bill (S. 2157) to provide for the permanent withdrawal of certain lands in Inyo County, Calif., for Indian use was announced as next in order.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 9037) to provide for the permanent withdrawal of certain lands in Inyo County, Calif., for Indian use, which was read by its title.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from North Dakota [Mr. FRAZIER] to this bill. What action does the Senator from North Dakota desire to have taken in reference to it?

Mr. FRAZIER. I move that the House bill be substituted for the Senate bill.

Mr. ROBINSON of Arkansas. Mr. President, I inquire if the House bill is identical with the Senate bill?

Mr. FRAZIER. I think they are identical.

The PRESIDING OFFICER. Without objection, the House bill will be substituted for the Senate bill.

The Senate, as in Committe of the Whole, proceeded to consider the bill (H. R. 9037) to provide for the permanent withdrawal of certain lands in Inyo County, Calif., for Indian use.

Mr. KING. Mr. President, I should like to inquire the calendar number of the Senate bill?

The PRESIDING OFFICER. Two hundred and seventy-three.

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

The PRESIDING OFFICER. Without objection, Senate bill 2157 is indefinitely postponed.

WILLIS B. CROSS

Mr. NEELY. Mr. President, I ask unanimous consent to return to Order of Business 238, House bill 3145, consideration of which was postponed yesterday afternoon while I was absent from the Senate participating in an important meeting of the Committee on Interstate Commerce.

The PRESIDING OFFICER. The Senator from West Virginia asks unanimous consent to return to Order of Business 238, House bill 3145. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3145) for the relief of Willis B. Cross.

Mr. KING. Mr. President, I should like the Senator to make an explanation of the bill.

Mr. NEELY. Mr. President, the facts in the case are as follows:

Mr. Willis B. Cross, the beneficiary of the legislation proposed in the bill, served for two years with the Seventeenth Indiana Battery, Light Artillery, performed all the duties of a private in that organization, and with it engaged in battle, although he was never enlisted or enrolled as a member of the battery.

While serving in the valley of Virginia with General Siegel's command Mr. Cross became so ill that he was obliged to go home for treatment. Upon recovering from his illness he returned to Frederick, Md., where he found that the battery with which he had been serving had been disbanded. He then enlisted in Battery B, Independent Loudoun (Virginia) Rangers, and served from the 7th day of April, 1865, to the 31st day of May, 1865, when he was discharged by reason of the end of the war.

Mr. Cross actually served in the Army more than two years, but was enlisted only from the 7th day of April, 1865, to the 31st day of the following month. The purpose of the bill is to obtain credit for the service rendered by Mr. Cross during the time he was not enrolled.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. NEELY. Certainly.

Mr. CARAWAY. How was it possible for him to serve two years without being enlisted?

Mr. NEELY. I can not answer that question. But the record, nevertheless, shows the facts to be as I have stated them.

Mr. CARAWAY. He actually served?

Mr. NEELY. He actually served and actually participated in battles.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The amendment was, on page 1, line 8, after the word "discharged," to insert "therefrom after having served therein more than 90 days," so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws Willis B. Cross shall hereafter be held and considered to have been mustered into the military service of the United States as a private of Captain Miner's Seventeenth Battery, Indiana Volunteer Light Artillery, and to have been honorably discharged therefrom after having served therein more than 90 days: *Provided*, That no back pay, bounty, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time and passed.

LANDS IN NEVADA

The bill (H. R. 8281) to provide for the withdrawal of certain described lands in the State of Nevada for the use and benefit of the Indians of the Walker River Reservation was considered as in Committee of the Whole.

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

The bill (H. R. 8282) to provide for the permanent withdrawal of certain lands bordering on and adjacent to Summit Lake, Nev., for the Paiute, Shoshone, and other Indians, was considered as in Committee of the Whole.

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

OSAGE INDIANS IN OKLAHOMA

The bill (S. 2360) to amend section 1 of the act of Congress of March 3, 1921 (41 Stat. L. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906," entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 1 of the act of Congress approved March 3, 1921 (41 Stat. L. 1249), entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," be amended by adding after the last line of said section 1 the following:

"*Provided further*, That the Secretary of the Interior may reduce the area to be offered annually hereunder, or suspend the offer of leases for not exceeding two years at any one time when, in his opinion, an overproduction of oil, or inadequate prices therefor, make such extension or suspension desirable in the interests of the Osage Nation, the entire unleased area, however, to be offered for lease not later than April 8, 1936."

Mr. ROBINSON of Arkansas. Mr. President, I note that this bill gives the Secretary of the Interior power to reduce the area to be offered annually for lease, but requires that the whole unleased area be offered not later than April 8, 1936. What is the object of requiring the unleased area to be submitted prior to that particular date?

Mr. LA FOLLETTE. Mr. President, I will say to the Senator from Arkansas that my understanding is that the existing law, which this bill seeks to amend, under its present terms provides for the entire leasing of that Osage area by that day. This bill is simply to give the Secretary, during that period, discretionary power as to whether he shall lease a certain amount this year or a certain amount next year; in other words, to relieve him from the obligation now contained in the statute to lease, as I remember, 100,000 acres per year. In other words, assuming that there will be an overproduction in one year, in order to prevent the throwing of these areas upon the market at a time when they would be unlikely to produce a favorable bidding the bill gives the Secretary the discretion to defer leasing them for another year or two years, until there will be a more favorable market; but it was thought that perhaps Congress would not be willing to change the general intent of the act which this bill seeks to amend, namely, that these lands shall all have been offered for lease by April 8, 1936.

I note that the Senator from Oklahoma [Mr. THOMAS] is on the floor, and as he is perhaps more familiar with the situation than I am, I will ask him to enlighten the Senator from Arkansas further.

Mr. THOMAS. Mr. President, under existing law the Secretary of the Interior is obliged to lease these lands during a certain period of time. Frequently we have depressions in the oil industry, overproduction, and decreased prices. It was thought in the interest of good business to extend and liberalize the power of the Secretary so that in times of depression and overproduction he might defer the leasing of lands that is now obligatory under the law. That is the intent of the bill.

Mr. ROBINSON of Arkansas. Mr. President, I call attention to the fact that under that practice the whole area might remain unleased until just prior to April 8, 1936, and that under the requirements of this bill the Secretary would be compelled to offer the whole area at that time. It seems to me that the bill might defeat the purpose which the Senator from Oklahoma and the Senator from Wisconsin have in mind, and compel the leasing of a very large area at a time when it would be improvident to do so.

Mr. LA FOLLETTE. I should like to suggest to the Senator that if such a situation did arise, Congress prior to April 8, 1936, could pass legislation to remedy the situation.

Mr. ROBINSON of Arkansas. If Congress happened to be in session and the situation came to its knowledge.

Mr. LA FOLLETTE. It seems to me that if we had a continued overproduction for such a long period of time it would certainly be brought to the attention of Congress. Personally I will say that I should have no objection to removing that terminal date; but inasmuch as that was in the act originally passed by Congress it was thought by the committee that Congress probably would not desire to change the final date upon which all of these lands are to be offered for lease.

Mr. ROBINSON of Arkansas. It would appear that there is ample time to make any further amendment that Congress might desire to make, so I offer no objection to the consideration of the bill.

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

BOUNDARY BETWEEN UNITED STATES AND MEXICO

The bill (S. 2534) authorizing the appropriation of $65,000 to be expended by the American section, International Boundary Commission, United States and Mexico, for the purpose of making a survey to fix the boundary between the United States and Mexico, between El Paso, Tex., and Fort Quitman, Tex., and for other purposes, was announced as next in order.

Mr. SHEPPARD. Mr. President, a House bill carrying this appropriation has been enacted into law. I move, therefore, that the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAYMENT TO CERTAIN GERMAN NATIONALS

The bill (S. 2549) providing for payment to the German Government of $461.59 in behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby authorized to be paid to the German Government, out of any money in the Treasury not otherwise appropriated, the sum of $461.59 for the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, who lost their lives while in the status of seamen in the American merchant marine; the above sum of $461.59 having been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on the American vessels.

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

SECOND PAN AMERICAN CONFERENCE ON HIGHWAYS

The joint resolution (S. J. Res. 30) to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro was considered as in Committee of the Whole, and was read, as follows:

Resolved, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro, including the compensation of employees, transportation, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any other act), including expenses of delegates in visiting Colombia and Venezuela in connection with the conference, and such miscellaneous and other expenses as the President shall deem proper.

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

VIEWS OF GOVERNOR FULLER ON PRESIDENTIAL CANDIDATES

Mr. HEFLIN. Mr. President, the Washington Post of yesterday morning and the Washington Star of yesterday afternoon both carried and gave prominence to an Associated Press dispatch from Boston, Mass., quoting from a speech made the night before by the Republican Governor of Massachusetts, Governor Fuller.

In that speech the Republican governor expressed, in a feeble way, the opinion that Hoover will be nominated for President by the Republicans. And then, under the hypnotic spell of the Roman Catholic political machine, which has secretly aided him politically in Massachusetts, he boosted Al Smith for the Democratic nomination for President.

This Republican Governor of Massachusetts was not content to pick out and boost a Republican candidate for President. Oh, no. He merely mentioned Hoover in leading up to what he was told to say, and then he went into ecstasies over Al Smith, the Tammanyite and wet nullifier of New York. And, strange to say, in order to aid the candidate of Rome's political machine, this Republican Governor of Massachusetts expressed the opinion that if Hoover is not nominated Al Smith will be elected.

What influence is it that has caused this Republican Governor of Massachusetts to so forget the proprieties of the occasion and employ his political voice and power to promote the candidacy of Tammany's Al Smith for the Democratic nomination for President?

But that is not all. Even the thought of Al Smith's failure to get the Democratic nomination fills the Republican Governor of Massachusetts with anger and indignation. Smiting hard the table in front of him with his fist, he predicted disaster to the Democratic Party if it failed to nominate Al Smith for President. Let me give you his exact language on this point:

If the Democrats do not nominate Al Smith, they had better disband or else reorganize the party as a free-trade council of the Ku-Klux Klan with TOM HEFLIN as head kleagle.

No doubt some Senators are wondering why this particular Republican governor is apparently so enthusiastic over Al Smith, the candidate of the Roman political machine, and why he takes a dig at me, the Protestant Senator who is vigorously opposing the nomination of Al Smith. The answer, in my opinion, is found in the fact that Governor Fuller's wife is a Roman Catholic. The history of the Old World is full of instances where Roman Catholic wives influenced their Protestant husbands in matters where the Roman Catholic machine was interested. The historian tells us that Porfirio Diaz made the Mexican constitution of 1857 a dead letter for 30 years under the influence of his Roman Catholic wife.

I bring this to the attention of the Senate and the country, because these Roman-inspired flings are frequently made at me by men who themselves claim to be Protestants. I expect to continue to do that, to show the connecting link and just what is back of these attacks.

In this instance my judgment is that a Roman Catholic priest wrote the speech that this Romanized millionaire, purse-proud Governor of Massachusetts repeated in Boston the other night.

I know this gentleman personally. I was in the House when he was a Member of Congress for one term, and, knowing him as I do, I must say that he has more money than sense.

Mr. WALSH of Massachusetts. Mr. President, I do not care to dignify by any extensive observations what has just been said by the Senator from Alabama with reference to the Governor of Massachusetts or his wife. I decline to associate my own or the religious views of others with my public service as a Senator of a sovereign State which protects the rights of all regardless of their religious worship. I happen to know both the governor and his wife personally and I can therefore speak of them from personal as well as official knowledge.

I know the Governor of Massachusetts—he is not of my political faith—to be a very conscientious, a very able, and a very progressive public servant. I doubt if we have ever had in Massachusetts a governor of any political party who has exercised more courage and more independently performed the exacting duties of his office than the present governor, Governor Fuller. His record, I can frankly say, has been very generally approved, regardless of politics. No governor has been or deserves to be more respected.

As to Mrs. Fuller's religion, I am not concerned any more than I am in the governor's religion. Whatever may be the religion of either of them, they are each worthy representatives of their religion. I do know Mrs. Fuller as a devoted mother and a lady possessed of charming personal qualities and of inestimable character. Neither Governor Fuller nor Mrs. Fuller, I am proud to say, is thought of in terms of religion in Massachusetts. Character and achievements, not financial resources or religious group support, have won for them the love and esteem of all classes and creeds.

Mr. GILLETT. Mr. President, I did not hear the first of the remarks of the Senator from Alabama, and I do not know upon what subject he was criticizing the Governor of Massachusetts. I heard only his last sentence, saying that Governor Fuller has more money than sense.

Mr. President, the Governor of Massachusetts has a large amount of money, all of which he earned himself, starting as a poor boy, and by great ability and thrift amassing his fortune. But, sir, while he started with vastly more sense than fortune, he has accumulated, with his fortune constantly increasing, sense and wisdom, and the Senator from Alabama is entirely mistaken in thinking that he has more money than sense. On the contrary, I am glad to avow my belief that while Governor Fuller has a large accumulation of money, he has a still larger accumulation of judgment and good sense.

INTERNATIONAL ASSOCIATION OF ROAD CONGRESSES

The PRESIDING OFFICER. The calendar will be proceeded with.

The joint resolution (S. J. Res. 31) 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, was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That the President be, and is hereby, authorized and requested to extend to the Permanent International Association of

Road Congresses an invitation to hold the sixth session of the association in the United States, either in 1929 or 1930, as the association may determine.

SEC. 2. That the sum of $25,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of such session, including printing of reports, compensation of employees, transportation, subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), and such expenses as may be actually and necessarily incurred by the Government of the United States by reason of such invitation in the observance of appropriate courtesies.

Mr. KING. Mr. President, I find two measures, providing for two appropriations, one for $15,000 and the other for $25,000, apparently covering Pan American road conferences. Is one of them for the purpose of paying the expenses of the next meeting in South America, and is the $25,000 now authorized to pay the expenses of the conference which is to be held a year after that in the United States?

Mr. PHIPPS. Mr. President, the Senator is correct as to the first measure. It authorizes an appropriation to pay the expenses of our delegates who will attend the conference in Rio de Janeiro, which was put off one year in order to allow the United States to be represented. The pending joint resolution authorizes an expenditure of $25,000 to entertain the delegates from these foreign countries in event they set their next meeting place in the United States. It may be that only a small portion of that amount would be used, but it is known that the automobile manufacturers of the United States, in the event that the conference is held here, will take the foreign delegates on an extended trip over our country. The purposes of the appropriation are set out in a communication which was presented with the House report on House Joint Resolution 107, which is a duplicate of the Senate joint resolution.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. PHIPPS. Certainly.

Mr. KING. I was not objecting to the appropriation. I was wondering why, if the second conference is not to be held for perhaps two years, it was deemed necessary to make the appropriation now.

Mr. PHIPPS. It is an authorization in order that the invitations may be extended. The main purpose is to invite the foreign nations to hold their convention in the United States.

Mr. KING. I do not object.

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

ANNA FACEINA

The bill (S. 3062) for the relief of Anna Faceina, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna Faceina, of New York City, the sum of $5,000, in full settlement against the Government, as compensation for injuries sustained when run down by a United States mail wagon on August 20, 1920.

SEC. 2. That no part of the amount appropriated in this act in excess of 3 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered or advances made in connection with said claim. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding $1,000.

Mr. KING. What is the purpose of this measure?

Mr. COPELAND. It is for the relief of a little girl struck by a mail truck.

Mr. KING. Will not the Senator state the extent of the injuries?

Mr. COPELAND. The little girl lost one of her legs.

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

Mr. WALSH of Massachusetts. Mr. President, calling attention to the bill which has just passed, in which the Senator from New York was interested, I would like to ask him if the Committee on Claims have considered the advisability of some general legislation to meet this class of cases. Cases where people are being struck by mail trucks are increasing in number steadily, and it seems to me there ought to be some way of handling such claims without having them brought before the Congress.

Mr. COPELAND. Mr. President, I think the Postmaster General should be asked to call the attention of the drivers of mail trucks to the necessity for greater care on their part. Those trucks are juggernauts, going through the cities, disregarding people, moving like express trains through the streets. The way they are run is an outrage. I have been wrought up about this matter for years, as I have seen the progress of these mail trucks through the cities. It is a thing which ought to be called to the attention of the Postmaster General. I shall be glad to join the Senator from Massachusetts in a general measure, in whose State is situated the great city of Boston, where the same situation must exist.

Mr. WALSH of Massachusetts. I am interested in many claims similar to the pending case. They take a great deal of time and trouble, and it seems to me there should be some general legislation covering that class of cases.

Mr. CARAWAY. Mr. President, will the Senator permit an interruption?

Mr. WALSH of Massachusetts. Certainly.

Mr. CARAWAY. The very matter about which the Senator inquires was the subject of a bill which came before the House to give the department power to settle controversies of this kind up to a certain amount. There was quite a difference of opinion on the subject, and the legislation failed, and so far as I know, there is no measure now pending looking to legislation to give the department power to settle such cases.

Mr. WALSH of Massachusetts. Did the Senator think well of that legislation?

Mr. CARAWAY. I can not say that I did. There has been so much departmental abuse and so much favoritism that I am sometimes reluctant to relieve Congress of the burden of looking into such cases, and seeing that something approximately just is done.

Mr. WALSH of Massachusetts. Could not some law be enacted giving such claimants the right to go before some court to determine the extent of the damages?

Mr. CARAWAY. That might be done.

Mr. BRUCE. Mr. President, in connection with the question asked by the Senator from Massachusetts, I believe that a statute has been passed in recent years allowing resort to the courts in cases of collision between private vessels and Government vessels. It seems to me that such a statute as the Senator from Massachusetts has in contemplation might well be enacted along the lines of the statute relating to collisions between vessels.

Mr. CARAWAY. If such a statute were enacted it would require either that everybody should bring a suit in the District of Columbia or the Government would find itself defending personal-injury cases in every court in the United States.

Mr. BRUCE. It would be in the Federal courts.

Mr. CARAWAY. I do not know that I should very seriously object to such a statute, but an act conferring upon the department the authority to be the sole judge of the right of the claimant to compensation does not appeal to me very much.

Mr. BRUCE. I think it would be very impolitic.

Mr. WALSH of Massachusetts. I think the objection of the Senator from Arkansas is well taken.

Mr. BRUCE. If we are looking in that direction, it seems to me the most we could do would be to give the head of the department authority to assent to the bringing of suits against the United States.

Mr. CURTIS. Mr. President, we have a unanimous-consent agreement to dispose of the calendar by 2 o'clock if possible. I hope that until that time Senators will not discuss matters which are not pending. I hope we may be able to get through with the call of the calendar by 2 o'clock.

Mr. BAYARD. Mr. President, I want to suggest to the Senator from Massachusetts a very interesting fact, and that is that the other day the House passed a bill to remedy the situation with reference to the careless driving of Government trucks. Such matters are given into the hands of the department with a limitation of $5,000, and they can make settlement with the right to subrogate the injured person's claim to the Government, the Government to have the right to sue upon that subrogated claim.

Mr. WALSH of Massachusetts. I am very glad to have that information.

Mr. KING. I desire to say in this connection that at the last session of Congress a subcommittee was appointed by the Committee on the Judiciary, of which I was a member and former Senator Cummins was a member, to confer with a like subcommittee which might be appointed by the Committee on Claims to consider the entire subject. There was a contrariety of views. Some Senators believed it was unwise to permit the Federal Government to be sued in every court in the United States for tort. Some felt that perhaps a general statute might be provided to deal with questions of tort and questions of contract, and so on. The upshot was that no legislation was enacted because of the diversity of views.

I confess that I look with a good deal of reluctance upon the enactment of a statute permitting the sovereign to be sued for torts. Under the common law that is not proper. In many States the State can not be sued. Some States may have permitted suits by municipalities. At any rate, the subject is an open one and should receive consideration.

Mr. CURTIS. Mr. President, a question of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. Is there not a limit on debate?

The PRESIDING OFFICER. The Chair understands that we are proceeding under the five-minute rule.

Mr. CURTIS. I call for the regular order.

The PRESIDING OFFICER. The regular order is called for.

Mr. BAYARD. Mr. President, I have a right to speak on anything I want to as long as I do not speak longer than five minutes.

The PRESIDING OFFICER. The Chair thinks the Senator from Delaware is entitled to five minutes under the rule.

Mr. BAYARD. I want to reply to the remarks of the Senator from Utah. It is true that there were subcommittees appointed by the Judiciary Committee and by the Committee on Claims, but I want to say something further, and that is that there never was a meeting of those two subcommittees. I happened to be on the subcommittee of the Committee on Claims, and I know I went to former Senator Means time after time, he being the chairman of the committee and the chairman of our subcommittee. We were never able to get together for consultation with the subcommittee of the Judiciary Committee. I am very frank to say—and I think the Senator from Utah will agree with me—that all these discussions took place in the subcommittee of the Committee on the Judiciary and never got to the Committee on Claims.

Mr. KING. The discussions that were had were had with Senator Means.

Mr. BAYARD. But not with the Claims Committee.

Mr. KING. I understand.

Mr. BRUCE. Mr. President, I simply desire to make the suggestion, apropos of what the Senator from Utah has said, that there might be a special Federal tribunal provided to pass on these questions, a special Federal board of some sort.

Mr. KING. That might be a good idea.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

HERMAN SHULOF

The bill (S. 3066) for the relief of Herman Shulof was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with an amendment, on page 1, line 9, to strike out "who was thereafter, on June 2, 1919, a few days after his arrival at Atlanta prison, pardoned by the President," and insert in lieu thereof "subsequently pardoned by President Wilson," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to Herman Shulof, of New York City, which sum was paid by him to the United States by reason of the forfeiture of the bail bond of William Kahn, who was afterwards taken into custody and convicted, but subsequently pardoned by President Wilson.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

PAY OF FILIPINOS, NATIONAL GUARD OF HAWAII

The bill (S. 2007) to authorize the Secretary of War to pay officers and Filipinos formerly enlisted as members of the National Guard of Hawaii for field and armory training during years 1924 and 1925, and to validate payments for such training heretofore made, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 6, to strike out "$3,000" and insert in lieu thereof "$4,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized to cause to be paid, from the whole sum appropriated for the support of the National Guard for the fiscal year 1928, a sum not to exceed $4,000, to pay officers of the Hawaiian National Guard and Filipinos who were formerly duly enlisted as members of the Hawaiian National Guard, for field and armory training during the years 1924 and 1925, and for which training they have not been paid because the enlisted Filipinos were not citizens of the United States, as required by sections 57 and 58 of the national defense act, as amended. All such payments heretofore made to officers and enlisted men of the Hawaiian National Guard are hereby validated.

The amendment was agreed to.

Mr. KING. Mr. President, I would like to ask the Senator from Connecticut [Mr. BINGHAM] whether this measure meets the approval of the Resident Commissioners from the Philippine Islands?

Mr. BINGHAM. Does not the Senator mean the Delegate from the Hawaiian Islands?

Mr. KING. It refers to officers of the Hawaiian National Guard and Filipinos.

Mr. BINGHAM. The Senator will realize that there are 50,000 Filipinos living in the Hawaiian Islands. During the World War a number of them served in the Army of the United States. After the World War a number of them desired to enlist in the National Guard of the Territory of Hawaii and it was supposed that Filipinos might so enlist. It was later discovered that since no Filipino born away from American territory can become a citizen of the United States, they could not be properly enlisted. In the meantime some 700 had served and had performed their duties, and it is the desire of the Hawaiian government that they shall be permitted to be paid.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

FRANK HANLEY

Mr. COPELAND. Mr. President, I ask unanimous consent to return to calendar 261. The Senator from Maryland [Mr. BRUCE] has very kindly withdrawn his objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 802) for the relief of Frank Hanley, and it was read, as follows:

Be it enacted, etc., That in the administration of laws conferring rights and privileges upon honorably discharged soldiers or sailors, Frank Hanley shall be held to have been honorably discharged from the naval service as a landsman on board the U. S. S. *Yantic* on November 20, 1865: *Provided*, That no back pay, compensation, or other benefit shall accrue prior to the passage of this act.

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

CONQUEST OF NORTHWEST TERRITORY BY GENERAL CLARK

The joint resolution (S. J. Res. 23) providing for the participation of the United States in the celebration in 1929 and 1930 of the one hundred and fiftieth anniversary of the conquest of the Northwest Territory by Gen. George Rogers Clark and his army, and authorizing an appropriation for the construction of a permanent memorial of the Revolutionary War in the West, and of the accession of the old Northwest to the United States on the site of Fort Sackville, which was captured by George Rogers Clark and his men February 25, 1779, was announced as next in order.

Mr. KING. Mr. President, this is a very important measure, and I know some observations are to be made upon it by the able Senator from Indiana [Mr. WATSON]. Of course, he would like to make them now and there will perhaps be some reply. Under the five-minute rule I think we could not dispose of the joint resolution.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. Certainly.

Mr. ROBINSON of Arkansas. The joint resolution is designed to commemorate the services of one of the outstanding figures in American history, to memorialize permanently one of the large movements which resulted in the contribution of a vast domain to the territory of the United States. I am in hearty sympathy with the purposes of the joint resolution. I hope it may be found consistent to give it consideration and to pass it.

The PRESIDING OFFICER. Is there objection?

Mr. KING. I dislike very much to object. I have opposed all such appropriations. When I was in the House years ago I opposed and voted against the appropriation of $5,000,000 for the St. Louis Exposition.

Mr. WATSON. Mr. President, I have no desire to ask the Senator from Utah to swerve from the path of duty as he sees it for this purpose, but after all the marvelous achievements of George Rogers Clark have never been fittingly recognized nor has he ever been adequately honored. I think it is altogether appropriate that the joint resolution should pass in order that this memorial may be erected in his honor and in memory of the marvelous achievements of George Rogers Clark.

Mr. KING. I find an appropriation for $250,000, just for entertainment, practically. If it were merely to erect a memorial I should have no objection; but it is more than that.

Mr. WATSON. It is to embody a feature, I will say to my friend, which will correctly portray and bring to the view of the people who will go there the early history of the United States. The value of teaching that history to the youth of the country at this particular time I think will address itself to the Senator from Utah. If that is the only feature to which the Senator objects, I think he very readily will withdraw his objection if he will think about it for a little while.

Mr. BRUCE. Mr. President, I hope that the Senator from Utah will allow me to add my request that he withdraw his objection. As we all know, there are very few figures in American history lit up with such luster as that of George Rogers Clark, a man whose heroic enterprise gave to this country nothing less than a great empire. John Randolph of Roanoke said of him that he was the "Hannibal of the West." The State of Virginia, duly conscious of the fact that he was one of her native sons, has already, through one of its generous citizens, Mr. McIntyre, of Charlottesville, erected a beautiful monument to him in that town. It does seem to me that if there is anything in our history which is worthy of commemoration, the exploits of this military hero are. If the Senator from Utah objects to the bill for some secondary reason, the joint resolution might well be amended to meet such an objection, but I do trust that the principal object of the measure may be carried into effect.

Mr. HARRISON. Mr. President, may I ask the Senator from Indiana a question?

Mr. WATSON. Certainly.

Mr. HARRISON. The proposed celebration is to take place in 1929, is it not?

Mr. WATSON. Yes.

Mr. HARRISON. In order to enable the Government to participate, the legislation must be enacted at a very early date, must it not?

Mr. WATSON. It must be.

Mr. HARRISON. I hope the Senator from Utah will be good enough to withdraw his objection.

Mr. SWANSON. Mr. President, I appeal to the Senator from Utah to withdraw his objection. All historians concur in the view that one of the most heroic incidents in the Revolution was the venture of George Rogers Clark with his company of Virginians, added to by men from Indiana and Kentucky, who captured the West. It was understood at the time that when a treaty of peace was concluded provision relative to the territorial possession of the West should be made in the same instrument. Recognizing this achievement, the people of Virginia have commemorated the event in a proper and fitting manner.

There is no doubt in my mind that if the courage and endurance and military skill displayed by George Rogers Clark had been displayed in that age in behalf of any other nation, there would have been a fitting commemoration of it 50 years ago to honor the man and his heroic actions and the splendid results which he gained. He was heroic; he achieved splendid results. The great West was made a part of this country as a result of the valor and foresight of George Rogers Clark.

I do hope the Senator from Utah, when he applies his theory of economy, will not apply it where sentiment, gratitude, and heroism are all involved.

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

Mr. KING. Mr. President, the eloquent appeals which have been made by learned Senators and historians of course are exceedingly moving. Everyone who pretends to any knowledge of American history is familiar with the great achievements of the person who is to be honored in this memorial. I shall be very glad to see some proper memorial to the honor of George Rogers Clark, because we know of the great contribution he made to the development of our country and to the settlement not only of Indiana and that vicinity, but of the territories beyond.

But I have always felt that the large appropriations so often made for expositions and kindred movements have been largely wasted, and I have never been in favor of them. If this were only for a memorial there would not be so much objection. I would like to ask the Senator what the State of Indiana is contributing to this memorial, or whether she is seeking to have the Federal Government undertake the entire burden, and whether the $250,000 is all that is to be contributed by the Federal Government?

Mr. WATSON. The State of Indiana contributes fully $750,000 to the entire enterprise.

Mr. KING. Why is the Federal Government asked to pay so much more, and particularly the $250,000 for expenses?

Mr. WATSON. Solely in order that the thing may be done as it ought to be done, in a national way; that is all.

Mr. KING. That is not a very satisfactory answer.

Mr. WATSON. I think it is, because it requires money properly to carry out such a project. It is to be a national memorial, I will say to my friend, for, if he is familiar with the history—and I take it for granted that he is—of that whole western section of the country, he can not fail to recognize the tremendous service rendered by this heroic man at that particular crucial time in the history of our early days. In all respects the memory of George Rogers Clark should be honored by this kind of memorial in which the Nation participates.

Mr. KING. Mr. President, so many appeals have been made that I find my fortitude yielding. I withdraw the objection, but shall vote against the joint resolution.

Mr. WATSON. I thank the Senator from Utah and all the other Senators.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on the Library with amendments.

The first amendment was, on page 4, section 3, line 6, after the numeral "3," to strike out "It is further provided that the appropriations hereby authorized" and to insert "Such authorization of appropriation," so as to make the section read:

SEC. 3. Such authorization of appropriation is made on condition that the State of Indiana shall provide the site for such permanent memorial, and that full, complete, and absolute title to the land so provided shall be vested in the State of Indiana, free and clear of all liens and encumbrances, and that the State of Indiana shall assume, without expense to the Federal Government, the perpetual care and maintenance of said site and memorial constructed thereon, after such memorial shall have been constructed and after completion of the celebration herein provided.

The amendment was agreed to.

The next amendment was, on page 4, section 4, line 17, after the numeral "4," to strike out "Be it further provided that before" and to insert the word "Before"; and in line 18, after the word "herein," to insert "authorized to be," so as to make the section read:

SEC. 4. Before any of the funds herein authorized to be appropriated shall be expended, the George Rogers Clark Memorial Commission, of the State of Indiana, shall submit all plans and designs to the national Commission of Fine Arts, in accordance with existing statutory requirements governing said commission.

The amendment was agreed to.

The next amendment was, on page 4, section 5, line 25, after the name "Indiana," to insert "and approved by the Secretary of the Treasury," so as to make the section read:

SEC. 5. When such plans and designs have been adopted by the George Rogers Clark Memorial Commission, of Indiana, and approved by the Secretary of the Treasury, the appropriation herein authorized shall be paid by the Treasurer of the United States to the treasurer of the State of Indiana as the work progresses upon the presentation of proper requisitions by the treasurer of the State of Indiana, who shall receive the same and pay it out for the purposes herein designated.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to insert a new section, as follows:

SEC. 6. The Secretary of the Treasury shall represent the Federal Government in the construction of said memorial. The supervising architect to be selected by the George Rogers Clark Memorial Commission shall consult and advise with the said Secretary, and the said Secretary shall examine and approve all contracts for the construction of said memorial, and the construction of any work paid for in whole or in part by the funds herein authorized to be appropriated out of the Treasury of the United States. No funds herein authorized to be appropriated shall be expended without the approval of the plans and contracts by the Secretary of the Treasury, and no contracts shall be in excess of the appropriations herein authorized and authorized by the State and local authorities. Said Secretary shall at all times have full and free access to all books, records, and accounts of the George Rogers Clark Memorial Commission for the purpose of ascertaining whether or not the funds appropriated by the Federal Government are being expended for the purposes herein set forth, and in accordance with the provisions of the act of the General Assembly of the State of Indiana, approved February 23, 1927, entitled "An act providing for the acquisition of land, the construction and establishment of the George Rogers Clark memorial thereon, and creating the George Rogers Clark Memorial Commission, and prescribing its rights, powers, and

duties, fixing a tax levy, and making an appropriation, providing for the acceptance and expenditure of Federal funds, and prescribing the duties of the department of conservation, prescribing penalties, and declaring an emergency."

The amendment was agreed to.

The next amendment was, on page 6, line 12, after "Sec.," to strike out the numeral "6" and to insert the numeral "7"; and in the same line to strike out the words "It is further provided that no" and to insert "No," so as to make the section read:

SEC. 7. No fee or charge of any character shall be imposed or made for the admission to or for the privilege of witnessing any of the celebrations or exhibitions held in 1929 and 1930, paid for in whole or in part by the appropriation herein provided, but such celebrations or exhibitions shall be free to the visiting public.

The amendment was agreed to.

The next amendment was, on page 6, line 19, after "Sec.," to strike out the numeral "7" and to insert the numeral "8"; and in the same line to strike out the words "It is further provided that if" and to insert the word "If," so as to make the section read:

SEC. 8. If any part of the appropriation hereby authorized is not expended for the purpose contemplated in this act, any balance or part thereof so remaining shall revert to the Federal Treasury.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

REIMBURSEMENT OF INDIANS OF FORT BELKNAP RESERVATION, MONT.

The bill (S. 2815) to reimburse certain Indians of the Fort Belknap Reservation, Mont., for part or full value of an allotment of land to which they were individually entitled was announced as next in order.

The PRESIDING OFFICER. The Chair invites the attention of the Senator from North Dakota [Mr. FRAZIER] to a communication from the House of Representatives, which he lays before the Senate and which will be read.

The CHIEF CLERK. The House of Representatives has passed the bill (H. R. 9994) to reimburse certain Indians of the Fort Belknap Reservation, Mont., for part or full value of an allotment of land to which they were individually entitled.

Mr. FRAZIER. Mr. President, the House bill is a companion bill to Senate bill 2815, with a slight amendment which was adopted on the floor of the House, but which does not change the meaning. The Interior Department approves of the amendment and makes no objection to it. I therefore move that the House bill, the title of which has just been read, be substituted for the Senate bill.

The PRESIDING OFFICER. Without objection, the House bill which has just been laid before the Senate will be substituted for Senate bill 2815. The Chair hears none.

Mr. FRAZIER. I now ask unanimous consent for the consideration of the House bill.

The bill (H. R. 9994) to reimburse certain Indians of the Fort Belknap Reservation, Mont., for part or full value of an allotment of land to which they were individually entitled, which was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, from any funds in the Treasury of the United States not otherwise appropriated, the sum of $45,716.80 to reimburse the following-named Indians or their heirs, if deceased, in the amounts following their respective names as full compensation for the value of an allotment of land on the Fort Belknap Indian Reservation, Mont., to which they were individually entitled under the provisions of the act of March 3, 1921 (41 Stat. 1355): Richard O'Bryan, $1,516.80; Bessie O'Bryan Dohmeyer, $3,400; Eva O'Bryan, $3,400; Kate O'Bryan Wernicke, $3,400; Gerald O'Bryan, $200; Barbara E. O'Bryan, $200; John F. O'Bryan, $3,400; Rose Ellen O'Bryan, $3,400; Archie DuBoise, $1,600; Henry Bradley, $1,000; George Bradley, $1,600; William Bradley, $1,600; Josephine First Raised, $1,600; Mary First Raised, $1,600; Bryan First Raised, $800; Elizabeth Parker, $3,400; Charles W. Parker, $3,400; Ambrose Parker, $3,400; Darlene E. Parker, $3,400; Adell Strike, $200; Rosella O'Bryan, $1,600; Daisy Adams, $1,600: *Provided*, That the funds authorized to be appropriated hereby may be paid to the Indians in cash, or expended in the purchase of inherited or other trust lands within the Fort Belknap Reservation for which patents shall be issued of the same form as those held by other Indians of the reservation.

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

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

The PRESIDING OFFICER. Senate bill 2815 will be indefinitely postponed.

WITHDRAWAL OF WATER FROM WHITE RIVER, ARK.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1103) permitting the withdrawal of water from White River, Ark., which was read, as follows:

Be it enacted, etc., That a permit be, and the same is hereby, granted to Alvin V. Harris and John A. Welty to withdraw from White River, Ark., at a point about half a mile above the point on said White River where the Rock Island Railroad crosses said stream, and near the town of De Valls Bluff, Ark., water from said White River sufficient to irrigate about 20,000 acres of rice land. The amount of water being necessary therefor and so to be withdrawn shall not exceed 500 cubic feet per second and is to be taken by pumping.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

The preamble was agreed to, as follows:

Whereas it is necessary to irrigate the lands for the growing of rice; and

Whereas the lands of Prairie County, Ark., are exceptionally suited for the growing of that cereal; and

Whereas waters from wells are not as suitable for irrigation as those taken from streams; and

Whereas the cost of irrigation by wells is prohibitive in that section of Prairie County, Ark., in and near the town of De Valls Bluff; and

Whereas waters may be withdrawn from White River near this point without any injury to navigation: Now therefore.

OKFUSKEE COUNTY, OKLA.

The bill (H. R. 7011) to detach Okfuskee County from the northern judicial district of the State of Oklahoma and attach the same to the eastern judicial district of the said State was announced as next in order.

Mr. CARAWAY. By request, I ask that that bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

INTERNATIONAL PETROLEUM CO. (LTD.), OF TORONTO, CANADA

The bill (H. R. 8527) for the relief of the International Petroleum Co. (Ltd.), of Toronto, Canada, was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the claim of the International Petroleum Co. (Ltd.), of Toronto, Canada, charterer of the tank steamer *Trontolite*, against the United States for damages alleged to have been caused by collision between said steamer *Trontolite* and the United States Navy submarine *O-2* at Cristobal, Canal Zone, on November 30, 1918, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to the said International Petroleum Co. (Ltd.) by reason of said collision upon the same principles and under the same measures of liability as in like cases between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this act.

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

A. N. ROSS

The bill (S. 2424) for the relief of A. N. Ross was announced as next in order.

Mr. HOWELL. Let that bill go over.

Mr. KING. I move that the bill be indefinitely postponed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

Mr. HOWELL. Mr. President, the Federal Trade Commission wishes to make certain representations with respect to this bill, and we have not had time to listen to their presentation. I suggest that the bill go over.

The PRESIDING OFFICER. The bill goes over under objection.

F. L. CAMPBELL

The bill (S. 2227) for the relief of F. L. Campbell was announced as next in order.

Mr. KING. Mr. President, will the Senator from Kansas [Mr. CURTIS], who introduced this bill, make an explanation of it?

Mr. CURTIS. Mr. President, this bill is for the relief of the clerk of the United States District Court of Kansas. Five hundred dollars was turned over to him, which he supposed was to be considered as a bond for the appearance of a defendant. The defendant failed to appear within the time fixed by the court, and the clerk turned the money over to the Treasury of the United States. Afterwards the judge of the court held that the money was not deposited as a bond with a fixed date, but simply deposited to be returned upon the appearance of the defendant. Later on the defendant appeared and the clerk had to pay back the $500. This money having been turned into the Treasury he could get no credit for it. Therefore he asks for the passage of the bill.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. L. Campbell, clerk of the United States District Court for the District of Kansas, the sum of $500, being the amount erroneously deposited by him to the credit of the Treasurer of the United States and since covered into the Treasury, as proceeds of a forfeited bond, such sum in fact representing a cash bond given by George Orr for his appearance before the district court, and subsequently refunded to the bondsman by said F. L. Campbell under order of the court.

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

THE L. P. ANDREWS CORPORATION

The bill (S. 2644) to carry out the findings of the Court of Claims in the case of the P. L. Andrews Corporation was considered as in Committee of the Whole. The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,672.39 to the P. L. Andrews Corporation, being the damage and loss incurred and suffered by said corporation in complying with United States Navy commandeer order No. N-3255, dated June 18, 1918, as found by the Court of Claims and reported in Senate Document No. 38, Seventieth Congress, first session.

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

FIDELITY & DEPOSIT CO. OF MARYLAND

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5925) for the relief of the Fidelity & Deposit Co. of Maryland, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, without interest, in favor of the Fidelity & Deposit Co. of Maryland, 4½ per cent United States Treasury certificates of indebtedness Nos. 9415 and 9416, in the denomination of $500 each, and Nos. 18067, 18068, and 18069, in the denomination of $1,000 each, series TD-1922, issued December 15, 1921, matured December 15, 1922; also to redeem without interest 3¾ per cent United States Treasury certificates of indebtedness Nos. 1048 and 1049, in the denomination of $500 each, series TJ-1923, issued June 15, 1922, matured June 15, 1923; the said certificates having been lost, stolen, or destroyed: *Provided*, That the said certificates of indebtedness shall not have been previously presented and paid: *And provided further*, That the said Fidelity & Deposit Co. of Maryland shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said certificates of indebtedness in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificates of indebtedness herein described.

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

PROPOSED AMENDMENT OF INTERSTATE COMMERCE ACT

The bill (S. 656) to amend section 15a of the interstate commerce act, as amended, was announced as next in order.

Mr. METCALF. Let that bill go over.

Mr. KING. Mr. President, that bill is one of very great importance. I should be very glad if some day could be fixed for its consideration. The eminent Senator from Nevada [Mr. PITTMAN] I know has been very diligent in trying to secure consideration of the measure, and I hope that at an early date the Senate may take up the measure, listen to the Senator from Nevada, and then pass the bill.

Mr. PITTMAN. Mr. President, the Senator from Rhode Island [Mr. METCALF] is not opposed to the bill. He saw me before we met to-day and said that he desired it to go over because he has an amendment to it which he desires to prepare but has not as yet prepared. I am trusting to the generosity of the Senate to return to this bill and consider it as soon as the Senator from Rhode Island shall have prepared his amendment. This bill has been twice reported favorably by the Committee on Interstate Commerce, and I am satisfied that there will be very little debate on it.

The PRESIDING OFFICER. The bill will be passed over.

LANGIN FIELD, MOUNDSVILLE, W. VA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 482) to provide relief for the victims of the airplane accident at Langin Field, Moundsville, W. Va., which was read, 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, 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.

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

OHIO RIVER BRIDGES

Mr. FESS. Mr. President, I will ask to have go over the next two bills on the calendar, being the bill (S. 1170) 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, and the bill (S. 761) 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. There is a question involved as to the two companies interested in the matter getting together. The Senator from Kentucky [Mr. SACKETT] spoke to me and requested that the two bills go over for the present.

The PRESIDING OFFICER. Without objection, the two bills indicated by the Senator from Ohio will go over without prejudice.

TENNESSEE RIVER BRIDGE

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1410) 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, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River at a point suitable to the interests of navigation and within two miles of where Clarks River empties into the Tennessee River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Midland Bridge Co. (Inc.), its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of

such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Midland Bridge Co. (Inc.), its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, the State of Kentucky, or any political subdivision of said State, within or adjoining which any part of such bridge is located, or both of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interest in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or political subdivision thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rate of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. Midland Bridge Co. (Inc.), its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same and for such purpose the said Midland Bridge Co. (Inc.), its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Midland Bridge Co. (Inc.), its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

CUMBERLAND RIVER BRIDGES

The bill (S. 1406) 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 was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, at or within 1 mile of the city or town of Canton, Ky., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Valley Bridge Co. (Inc.), its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Valley Bridge Co. (Inc.), its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, the State of Kentucky, or any political subdivision of said State, within or adjoining which any part of such bridge is located, or both of them jointly may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interest in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or political subdivision thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rate of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. Valley Bridge Co. (Inc.), its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said Valley Bridge Co. (Inc.), its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Valley Bridge Co. (Inc.), its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

The title was amended so as to read: "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, at or within 1 mile of Canton, Ky."

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1407) 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, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, within 1 mile of the city or town of Iuka, Ky., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Valley Bridge Co. (Inc.), its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Valley Bridge Co. (Inc.), its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, the State of Kentucky, or any political subdivision of said State within or adjoining which any part of such bridge is located, or both of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interest in real property, (3) actual financing and promotion cost not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or political subdivision thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rate of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. Valley Bridge Co. (Inc.), its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said Valley Bridge Co. (Inc.), its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Valley Bridge Co. (Inc.), its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

The title was amended so as to read: "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, within 1 mile of Iuka, Ky."

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1408) 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, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation at or within 2 miles of the city of Smithland, Ky., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Midland Bridge Co. (Inc.), its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Midland Bridge Co. (Inc.), its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion or such bridge, as determined by the Secretary of War, the State of Kentucky, or any political subdivision of said State, within or adjoining which any part of such bridge is located, or both of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or political subdivision thereof, as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rate of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. Midland Bridge Co. (Inc.), its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original

cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said Midland Bridge Co. (Inc.), its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Midland Bridge Co. (Inc.), its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

The title was amended so as to read: "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 at or within 2 miles of Smithland, Ky."

TENNESSEE RIVER BRIDGE

The bill (S. 1409) 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 was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, in section 1, page 1, line 7, after the word "navigation," to insert "at or"; in line 8, after the word "Ferry," to strike out "across the Tennessee River" and insert "between Marshall and Trigg Counties, Ky.," so as to make the section read:

That the consent of Congress is hereby granted to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River at a point suitable to the interests of navigation at or within 2 miles of the present location of Eggners Ferry between Marshall and Trigg Counties, Ky., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

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

PUEBLO INDIAN LANDS, NEW MEXICO

The bill (S. 1941) to provide for the acquisition of rights of way through the lands of the Pueblo Indians of New Mexico was announced as next in order.

Mr. BAYARD. Mr. President, at the request of the senior Senator from New Mexico [Mr. BRATTON] I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

STANDARDIZATION OF HAMPERS, ETC.

The bill (S. 2148) to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes, was announced as next in order.

Mr. KING. I ask that the bill go over.

Mr. McNARY. Mr. President, will not the genial Senator from Utah permit me to make a statement occupying about one minute?

Mr. KING. I will be very glad to have the Senator speak for an indefinite period; I like to hear him talk.

Mr. McNARY. Mr. President, this bill is of great importance to the citizens and producers of the State of Utah, as well as to those of other States. The bill passed the Senate last year and passed the House on two former occasions. It simply attempts to standardize hampers and baskets used as containers for vegetables. It is similar to the act which was passed in 1916 to standardize the containers for small fruits.

The purpose of the bill is to prevent deception. Some hampers appear to contain as much as others, whereas, in fact, upon measurement that is not the case, although the eye is not able to detect the deception. It is merely for the purpose of making it possible for the consumer to pay for what he receives and receive that for which he pays. It has had the indorsement of all the consumers' leagues of the country, the producers' associations, and the Department of Agriculture; indeed, I do not know of a living soul, I may say to the Senator from Utah, who is opposed to this bill, unless it is some one—I will make it quite impersonal, of course—who is not familiar with it or who wishes to deceive the public in the sale of vegetables and fruit.

Mr. KING. Mr. President, a number of persons have spoken to me in regard to this bill. They felt that it was an interference with the rights of municipalities or States or individuals. It is designed to determine the kind of hampers or receptacles employed by them in shipping fruit. I have not had time to study the bill, and I will say frankly I am objecting because of the impression that I derived from the observations made by the persons to whom I have referred. I inquire, will this bill interfere with the utilization of any hamper or any sort of receptacle which any shipper of fruit or other goods or cereals may desire to provide?

Mr. McNARY. Only so far as the hampers are used in shipments in interstate commerce. Has the Senator received objections to the bill this year, or does he have in mind the bill that was prepared and brought up for consideration in Congress two years ago?

Mr. KING. I think it was about a year ago when the persons to whom I referred spoke to me.

Mr. McNARY. Perhaps so, but there has been no objection to this bill. The Senator from Mississippi [Mr. HARRISON] two years ago raised practically the same point that has been raised by the Senator from Utah, but upon further consideration his objections were removed. I am not asking the Senator to waive any privileges or rights he may have; but I had hoped that in the interest of a more certain container and to prevent the practice of deception we might pass the bill to-day.

Mr. KING. Will the Senator allow it to be temporarily laid aside? I shall be very glad, upon examination, to join the Senator in asking that it be considered.

Mr. McNARY. Yes; it is my desire to accommodate the Senator.

Mr. KING. I thank the Senator.

The PRESIDING OFFICER. The bill will be passed over.

CROP INSURANCE

The bill (S. 2149) authorizing and directing the Secretary of Agriculture to investigate all phases of crop insurance was announced as next in order.

Mr. KING. Mr. President, this bill seems to direct the Secretary of Agriculture to study and devise plans and methods for writing crop insurance and to publish information, and so on.

Mr. McNARY. Mr. President, if I may intrude my opinion here for a moment, I want this bill to go over for the time being, because it is one of the most worthy measures that has ever been before Congress or demanded its attention. It is so worthy, indeed, that I want to speak upon this important subject, and I am trying to get together some material. After I shall have done so, I think the Senate will have no objection to make.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BRUCE. Mr. President, I should like to ask a question of the Senator from Oregon. I, myself, introduced in the Senate a bill of the same character, which was referred to the Committee on Agriculture and Forestry. I am a little curious to know how my name became lost in connection with the bill and a more important and influential name became associated with it. A few days ago I met the Senator, and he was so kind as to say that the bill which I had introduced in the Senate would in all probability meet with the favor of the committee, and I prided myself upon the fact that at last I seemed to be doing a little for the farmers. Now, I appear about to be despoiled of even the little credit that I had hoped to secure through that bill.

Mr. McNARY. Mr. President, perhaps if the Senator from Maryland were historically correct and familiar with the proceedings of Congress he would recall that in 1921 the then Vice President, Mr. Coolidge, appointed a committee of three to investigate the subject of crop insurance. It happened to fall to my lot to be chairman of that committee. We held hearings for a number of years; and this bill is the product of that work, which was started five or six or seven years ago. The Senator recently and handsomely introduced a resolution asking for certain statistics with respect to crop insurance, and embodying the essentials of the bill. I have referred that bill to the Secretary of Agriculture; and in due time—it is a proper bill, and does not in any way conflict with this bill—I intend to bring it out here on the floor with a favorable report and urge its passage.

Mr. BRUCE. I am very much obliged to the Senator for his explanation. It seems that I am not to be stripped altogether of my standing as a friend of the farmer.

GAME SANCTUARIES IN NATIONAL FORESTS

The bill (S. 2456) to establish game sanctuaries in the national forests was considered as in Committee of the Whole.

The bill had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 3, after the words "breeding places for," to strike out "game animals" and insert "game and fur-bearing animals, game birds and fish," so as to make the bill read:

Be it enacted, etc., That for the purpose of providing breeding places for game and fur-bearing animals, game birds and fish on lands in the national forests not chiefly suitable for agriculture, the President of the United States is hereby authorized, upon recommendation of the Secretary of Agriculture and with the approval of the State legislatures of the respective States in which said national forests are situated, to establish by public proclamation certain specified areas within said forests as game sanctuaries or refuges, which shall be devoted to the increase of game animals of all kinds naturally adapted thereto, but it is not intended that the lands included in such game sanctuaries or refuges shall cease to be parts of the national forests wherein they are located, and the establishment of such game sanctuaries or refuges shall not prevent the Secretary of Agriculture from permitting other uses of the national forests under and in conformity with the laws and the rules and regulations applicable thereto so far as such uses may be consistent with the purposes for which such game sanctuaries or refuges are authorized to be established.

SEC. 2. That when such game sanctuaries or refuges have been established as provided in section 1 of this act, hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, kill, or capture any wild animals for any purpose whatever upon the lands of the United States within the limits of said game sanctuaries or refuges shall be unlawful except as hereinafter provided, and any person violating any provision of this act or any of the rules and regulations made under the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction in any United States court be fined in a sum of not exceeding ———, or imprisonment not exceeding six months, or both.

SEC. 3. That the Secretary of Agriculture shall execute the provisions of this act, and he is hereby authorized to make all needful rules and regulations for the administration of such game sanctuaries or refuges in accordance with the purpose of this act, including regulations not in contravention of State laws for hunting, capturing, or killing predatory animals, such as wolves, coyotes, foxes, pumas, and other species destructive to livestock or wild life or agriculture within the limits of said game sanctuaries or refuges.

Mr. JONES. Mr. President, I should like to have this bill explained by the Senator.

Mr. McNARY. Mr. President, it occurs to me that perhaps we should have the presence of the distinguished Senator from Arkansas [Mr. ROBINSON]. More than that, there are three bills somewhat similar, but still treating of a portion of the great problem now before the Senate. One is the migratory bird act, introduced by the Senator from South Dakota [Mr. NORBECK]. One is the bill for the creation of a game refuge in Bear River, Utah, to provide sanctuaries and places of rest for wild water fowl; and this bill is to conserve the wild life of the forests. All three bills appertain to the same subject matter in somewhat similar conditions and units. It has been suggested to me by the able Senator from Utah that perhaps all these measures should be considered at the same time, because they are related and interrelated. For that reason, without any advantage being taken of the status of this bill, I shall ask that it go over until the presence of the Senator from Arkansas is noted.

Mr. PITTMAN. Mr. President, there is just one thing to which I want to call attention. When the Senator from Arkansas returns he will very probably ask to recur to this bill, and I wish to say that I do not believe it to be wise to attempt to consider these bills together. This bill is a very simple one and will require no amendment, in my opinion, while the other bills undoubtedly will require amendment and discussion. There is no reason at all that I know of why, with the consent of the State and the Department of Agriculture, they should not use certain portions of the forests for game preserves; and that is all that this bill amounts to.

Mr. JONES. I am perfectly willing to have the bill passed over temporarily.

Mr. McNARY. Then, without prejudice, let it go over until the return to the floor of the Senator from Arkansas.

The PRESIDING OFFICER. The bill will be passed over, under objection.

HORTICULTURAL, ETC., WORK IN SOUTHERN GREAT PLAINS AREA

The bill (S. 2832) providing for horticultural experiment and demonstration work in the southern Great Plains area was considered as in Committee of the Whole.

The bill had been reported from the Committee on Agriculture and Forestry with amendments.

The first amendment was, in section 1, page 1, line 10, after the word "at," to strike out "one" and insert "or within reasonable proximity to one or more," so as to make the section read:

That the Secretary of Agriculture is hereby authorized and directed to cause such shade, ornamental fruit, and shelter belt trees, shrubs, and vines as are adapted to the conditions and needs of the southern Great Plains area, comprised of those parts of the States of Colorado, Nebraska, Kansas, Texas, Oklahoma, and New Mexico lying west of the ninety-eighth meridian and east of the 5,000-foot contour line, to be propagated at or within reasonable proximity to one or more of the existing field stations of the Department of Agriculture in such area, and seedlings and cuttings and seeds of such trees, shrubs, and vines to be distributed free of charge under such regulations as he may prescribe for experimental and demonstration purposes within such area.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JONES. Mr. President, let us have some explanation of this bill.

Mr. KING. I should like some explanation of the bill.

The PRESIDING OFFICER. Does the Senator object?

Mr. KING. I do unless there is some explanation.

Mr. JONES. I desire to have some explanation of the bill in order that I may know whether to object or not.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. PINE], who introduced the bill, does not seem to be present.

Mr. JONES. I ask that the bill may go over then.

The PRESIDING OFFICER. The bill will be passed over.

DECORATIONS BY FOREIGN GOVERNMENTS

The bill (H. R. 5898) to authorize certain officers of the United States Navy and Marine Corps to accept such decorations, orders, and medals as have been tendered them by foreign governments in appreciation of services rendered was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with amendments.

Mr. REED of Pennsylvania. Mr. President, I have an amendment to offer to the bill.

The PRESIDING OFFICER. Will the Senator from Pennsylvania permit the amendments of the committee to be acted upon first?

Mr. REED of Pennsylvania. Certainly.

The first amendment was, on page 2, line 2, after the word "junior," to insert:

Rear Admiral Thomas Washington, Rear Admiral W. L. Howard, retired; Rear Admiral H. Rodman, retired; Rear Admiral J. D. McDonald, retired; Rear Admiral T. Snowden, retired; Rear Admiral C. L. Hussey, retired.

The amendment was agreed to.

Mr. JONES. Mr. President, I should like to know something about the character of these decorations and what rights or privileges they carry?

I have said at times in the past that I should object to the passage of such bills in the future. I do not like, personally, the principle that seems to be involved in issuing these decorations of foreign countries to some particular individuals in this country. It seems to me that it is, in a way, contrary to our principles and ideals of American citizenship. The committee seems to have taken a great lot of them together here.

Mr. HALE. Mr. President, Article I, section 9, clause 8, of the Constitution of the United States provides:

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Then the act of January 21, 1881, Statutes, 604, provides:

Hereafter any present, decoration * * * which shall be conferred or presented by any foreign government to any officer of the United States * * * naval * * * shall be tendered through the State Department, but shall not be delivered by the Department of State unless authorized by act of Congress.

Mr. JONES. The policy laid down in the Constitution seems to me to be really contrary to the principle followed here.

Mr. HALE. I will say that this is not a new matter. It has been customary in the past for naval officers serving on war vessels in foreign waters to be given decorations by foreign governments. The officers themselves can not receive the decorations; but they are turned over to the State Department and held there until Congress authorizes their acceptance by the naval officer.

In the past the matter has not been systematically carried out. Certain naval officers who were acquainted with some Congressman or some Senator have had special bills introduced for their benefit, authorizing them to accept the decorations given to them. Others, who did not have any such acquaintances, have not received congressional authorization to accept the decorations. This year the department decided, instead of having separate bills go in, that they would group the officers together and have it done through an omnibus bill.

The decorations that are given are not in any way objectionable, as far as I can see. In the letter of the Secretary of the Navy to the Speaker of the House he makes the following statement:

> The tender of decorations, orders, and medals to officers of the Navy and Marine Corps by a foreign government is an act of international courtesy toward the United States and is made, not as a reward to the individual officer for services to such government, but as evidence of its appreciation of the friendly action of this Government in permitting its representatives—the officers to whom the decorations, orders, and medals are offered, and the naval units, afloat or ashore, which they command or in which they are serving—to assist the government. The authorization of the acceptance of the decorations, orders, and medals is a similar act of international courtesy in token of the appreciation by this Government of the response of the foreign government to the assistance rendered.

I hope the Senator will not object.

Mr. JONES. Why do we not pass a general law authorizing any officer of the United States Government to receive any decoration that any country proposes to give him or desires to give him?

Mr. REED of Pennsylvania. Mr. President, will the Senator yield for a suggestion?

Mr. JONES. Yes.

Mr. REED of Pennsylvania. I agree with the Senator that it is bad policy to allow these things to be conferred and distributed in the future; but we have just finished up a war in which we had a number of other countries as our allies. A considerable number of medals remain in the State Department, granted to our officers by our allies during the war. I do not think we ought to give any future consent, and I shall be glad to see Congress shut down on future gifts of these decorations; but it is highly unfair to allow some of these officers to retain the medals that they won during the war and to deny them to others who were given the medals for war services a day or two, perhaps, after the expiration of the general consent that Congress gave in war time.

Mr. JONES. Are the medals for these officers now in the War Department?

Mr. REED of Pennsylvania. Yes, Mr. President.

Mr. HALE. The medals for naval officers are now in the State Department.

Mr. JONES. They have been sent over here. I should like to suggest to the Senator from Pennsylvania, at any rate, that we do not do this in the future.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I yield.

Mr. SWANSON. There is an additional trouble about that: We ought either to refuse absolutely to grant the consent of Congress in any of these cases, or we ought to make no discrimination between the individuals that receive these decorations or the nations that confer them. If we permit the acceptance of an honor that has been given to an officer by one nation, and then refuse to permit the acceptance of an honor that is given to another officer by another nation, that nation feels offended because we do not permit the courtesy that it has extended to be accepted.

If we should permit the acceptance of a courtesy from France, and then another nation like Sweden should seek to extend a courtesy to somebody who went there and we should refuse our consent to its acceptance, they would say: "The United States accepted the courtesy of France but they discriminated against Sweden," or some other nation.

We ought either to prohibit the acceptance of these things entirely, or we ought to make no discrimination; and the only way in which we can avoid discrimination now, since we have accepted about two-thirds of those that are in the State Department, is to pass this bill. Then, if we want to adopt a general policy prohibiting this sort of thing, we shall not be discriminating against nations or individuals.

There are two discriminations if we refuse this consent—first, against the nation that confers the decorations, when we refuse to accept their courtesy; second, against the individuals that it is desired should receive the decorations. Consequently, there will be two wrongs, two discriminations, if this bill is defeated.

It seems to me the right thing to do is to allow the decorations that are now in the State Department to be conferred, and then I agree that in the future there must be no discrimination, either between nations or between individuals. I should like to see a prohibition against the acceptance of any decorations in the future.

Mr. JONES. I am glad to hear the Senator express himself in that way.

Mr. SWANSON. I would rather let it be understood that American officers may not be decorated by foreign governments. I prefer that course; but to deprive these officers now would be to reflect on the governments that conferred the decorations, when we have accepted them from other governments.

Mr. REED of Pennsylvania. Mr. President, will the Senator permit a suggestion there?

Mr. BLEASE. Mr. President, I object to the consideration of the bill.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over. The Secretary will state the next bill on the calendar.

GAME SANCTUARIES IN NATIONAL FORESTS

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent to recur to Order of Business No. 311, Senate bill 2456.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent to return to Order of Business 311, Senate bill 2456. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2456) to establish game sanctuaries in the national forests.

The PRESIDING OFFICER. The amendment has been stated.

Mr. DILL. Mr. President, will the Senator explain just what the bill provides?

Mr. ROBINSON of Arkansas. The object of the bill is pretty well expressed in the title. It seeks to establish in the national forests game sanctuaries, places where game may be conserved and safeguarded.

Mr. DILL. I think I can ask the Senator a question which will recite my attitude.

Mr. ROBINSON of Arkansas. Very well.

Mr. DILL. Does the bill provide that any part of these sanctuaries shall be used as public shooting grounds?

Mr. ROBINSON of Arkansas. No.

Mr. DILL. It does not provide for the charging of Federal licenses?

Mr. ROBINSON of Arkansas. No.

Mr. DILL. I have no objection to its consideration.

Mr. ROBINSON of Arkansas. I desire to offer an amendment to the bill.

The PRESIDING OFFICER. The Chair is advised that a committee amendment is pending. The question is on agreeing to the committee amendment.

Mr. WARREN. Mr. President, I desire to ask the Senator a question. Does the bill carry with it any of the domain of the national parks?

Mr. ROBINSON of Arkansas. No; it simply authorizes the establishment of game sanctuaries in the national forests.

Mr. PITTMAN. With the consent of the legislature of the State wherein the forest is situated.

Mr. ROBINSON of Arkansas. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. ROBINSON of Arkansas. Now, Mr. President, I move to amend the bill as follows: On line 24, page 2, after the word "exceeding," I move to insert "$500," there now being a blank in the bill. The amendment fixes the maximum penalty for violation of the statute at $500.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arkansas, which will be stated.

The CHIEF CLERK. On page 2, line 24, after the word "exceeding," it is proposed to insert "$500."

The amendment was agreed to.

Mr. BLAINE. Mr. President, under the bill complete protection is given to predatory birds in the national forests. The national forests are growing up in many of the States of the Northwest, and there are measures pending, or to be proposed, to appropriate money for the use of the Agricultural Department, in cooperation with the agricultural departments of the several States, with the view of destroying predatory birds, which birds are causing great damage and injury to the farmers, especially in those regions about the Great Lakes, along the Mississippi River, and in the valley of the Mississippi.

The bill excludes predatory animals from protection, but in my opinion predatory birds are much more destructive than predatory animals to agricultural crops, to the corn, to the wheat, and many other crops grown in the territory to which I have referred.

I suggest, if the Senator from Arkansas will consent, that a proper amendment be submitted. I am not opposed to the bill.

Mr. ROBINSON of Arkansas. What is the amendment the Senator from Wisconsin proposes?

Mr. BLAINE. To make the same provision with reference to predatory birds that is made regarding predatory animals under the bill. The amendment would come in the last section, on page 3. I suggest that the bill go over for the purpose of drawing an amendment.

Mr. ROBINSON of Arkansas. Does the Senator object?

Mr. BLAINE. I object to the consideration of the bill unless we can agree upon an amendment.

Mr. ROBINSON of Arkansas. If the Senator desires to propose an amendment, of course I shall be glad to consider it. I do not know what amendment he proposes.

Mr. BLAINE. I propose to give predatory birds the same status as predatory animals under this bill. I am not prepared now to submit the amendment.

Mr. ROBINSON of Arkansas. The words "and predatory birds" after the word "animals" would comprehend the suggestion of the Senator from Wisconsin. Does the Senator desire to specify the predatory birds that should be included in the amendment?

Mr. BLAINE. The amendment I suggested ought to be carefully drafted and submitted to the Department of Agriculture, so that there will be no difficulty in the enforcement of the act when it becomes law. I therefore object to the present consideration of the bill, with the view of having such an amendment prepared.

The PRESIDING OFFICER. Objection is heard, and the bill will go over.

DECORATIONS BY FOREIGN GOVERNMENTS

Mr. HALE. Mr. President, I ask unanimous consent that we return to calendar 313, House bill 5898, to authorize certain officers of the United States Navy and Marine Corps to accept such decorations, orders, and medals as have been tendered them by foreign governments in appreciation of services rendered.

Mr. BLEASE. Mr. President, I have no objection if it will not lead to discussion. If it leads to discussion, I shall object.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. REED of Pennsylvania. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. There are some committee amendments which will have to be acted on.

The CHIEF CLERK. The committee proposes to insert at the proper places the names of Capt. W. P. Scott, Capt. H. Laning, Capt. V. A. Kimberly, Capt. H. L. Brinser, Capt. F. D. Berrien, Capt. R. D. White, Capt. L. R. Leahy, Capt. E. H. Durell, retired, Commander J. S. McCain, Commander G. C. Logan, Commander S. S. Kennedy, Commander R. E. Byrd, retired, Lieut. Commander J. B. Will, Lieut. Commander R. Pfaff, Lieut. Commander W. E. Whitehead, retired, Lieut. D. J. Sinnott, Lieut. F. B. Stoddert, Lieut. W. E. Moore, Lieut. E. D. Snare, Lieut. C. L. Green, Lieut. C. J. Marshall, Lieut. E. J. Norcott, retired, Lieut. (Junior Grade) J. K. Lynch, Rear Admiral A. M. D. McCormick (Medical Corps), Capt. W. N. McDonnell (Medical Corps), Lieut. Commander E. P. Huff (Medical Corps), Lieut. Commander R. H. Miller (Medical Corps), retired, Lieut. J. J. Kaveney (Medical Corps), Lieut. M. J. Stubbs (Supply Corps), Capt. E. W. Scott (Chaplain Corps), Commander W. A. Maguire (Chaplain Corps), Commander J. W. Moore (Chaplain Corps), Commander E. A. Brodman (Chaplain Corps), Lieut. Commander T. L. Wood (Chaplain Corps), Chief Pharmacist C. E. Alexander, and Maj. M. B. Humphrey.

Mr. SWANSON. The amendment simply includes cases where medals have already been conferred?

Mr. REED of Pennsylvania. Where medals were conferred in the past.

Mr. SWANSON. It does not refer to any future cases?

Mr. REED of Pennsylvania. No future cases at all.

Mr. SWANSON. The Senator agrees with me that this practice shall not be followed in the future?

Mr. REED of Pennsylvania. Absolutely.

Mr. SWANSON. Then I have no objection.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 3, line 2, strike out "Lieut. Commander W. S. Haas."

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania proposes an amendment, which the clerk will state.

The CHIEF CLERK. To insert in the proper places the following:

Bailey K. Ashford, colonel, Medical Corps.
Edwin B. Babbitt, major general, retired.
Joseph H. Barnard, lieutenant colonel, Field Artillery.
Alfred Ilko Barton, captain, Adjutant General Reserves.
Joseph E. Barzynski, major, Quartermaster Corps.
James D. Basey, captain, retired.
William M. Beaman, major, Engineer Reserves.
William C. Bennett, jr., first lieutenant, Corps of Engineers.
Charles W. Berry, sr., major general, reserves, and major general, New York National Guard Reserves.
Tasker H. Bliss, major general, retired.
Stephen Bonsal, lieutenant colonel, Military Intelligence Reserves.
Allan L. Briggs, lieutenant colonel, Infantry.
Robert L. Bullard, major general, retired.
Banjamin F. Caffey, jr., captain, Infantry.
Daniel J. Canty, captain, Quartermaster Corps.
James E. Chaney, major, Air Corps.
Harry N. Cootes, lieutenant colonel, Cavalry.
Enoch H. Crowder, major general, retired.
Fred T. Cruse, major, Field Artillery.
Guy Cushman, lieutenant colonel, retired.
Herbert A. Dargue, major, Air Corps.
Howard C. Davidson, major, Air Corps.
Anthony Bigelow Day, captain, Medical Reserves.
Edward T. Donnelly, colonel, retired.
Lee Roy Dunbar, major, Medical Corps.
John M. Eager, major, Field Artillery.
Ira C. Eaker, captain, Air Corps.
Clarence R. Edwards, major general, retired.
Henry W. T. Eglin, major, Coast Artillery.
Muir S. Fairchild, first lieutenant, Air Corps.
John P. Finley, colonel, retired.
Allen S. Fletcher, major, Philippine Scouts.
Frederick S. Foltz, colonel, retired.
Clyde S. Ford, lieutenant colonel, retired.
William F. H. Godson, lieutenant colonel, Cavalry.
David Marvin Goodrich, lieutenant colonel, Cavalry Reserve.
Ephraim F. Graham, major, retired.
Ulysses S. Grant, third, lieutenant colonel, Corps of Engineers.
Samuel A. Greenwell, captain, Cavalry.
James G. Harbord, major general, retired.
William Lee Hart, major, Medical Corps.
William W. Harts, brigadier general.
Guy V. Henry, colonel, Cavalry.
William Joseph Hillas, major, Medical Reserves.
Roy Hoffman, brigadier general, reserves.
Nelson M. Holderman, captain, retired.
Otto Holstein, major, Military Intelligence Reserves.
Harry S. Howland, lieutenant colonel, retired.
Edgar Erskine Hume, major, Medical Corps.
Merritte W. Ireland, major general.
LeRoy Hodges, major, Ordnance Reserves.
William W. Jenna, captain, Infantry.
Herbert Spencer Johnson, major, Infantry Reserves.
Wait C. Johnson, colonel, Infantry.
William A. Jones, major, Infantry.
Charles E. Kilbourne, colonel, Coast Artillery Corps.
Wallace Whitney Kirby, lieutenant colonel, Engineer Reserves.
Arthur B. Kratz, lieutenant colonel, Engineer Reserves.
Ben. Lear, jr., lieutenant colonel, Cavalry.
Hunter Liggett, major general, retired.
Charles A. Lindbergh, colonel, Air Corps Reserves.
Arthur B. McDaniel, captain, Air Corps.
Dale F. McDonald, major, Infantry.
William McFarland, captain, Medical Administrative Corps.
Joseph Wallace McIntosh, colonel, Quartermaster Corps Reserves.
Rufus F. Maddux, major, Chemical Warfare Service.
Walter Mulford Mann, captain, Infantry.
Clarence Augustus Manning, captain, Military Intelligence Reserves.

John C. Montgomery, lieutenant colonel, retired.
Horace Morison, major, Quartermaster Corps Reserves.
Charles G. Mortimer, lieutenant colonel, Quartermaster Corps.
T. Bentley Mott, colonel, retired.
Francis LeJ. Parker, colonel, Cavalry.
Hugh A. Parker, lieutenant colonel, Infantry.
Albro L. Parsons, jr., major, Medical Corps.
Mason M. Patrick, major general.
George S. Patton, jr., major, Cavalry.
Robert U. Patterson, colonel, Medical Corps.
John J. Pershing, General of the Armies, retired.
Arthur Poillon, lieutenant colonel, Cavalry.
George W. L. Prettyman, major, Field Artillery Reserves.
Charles McK. Robinson, first lieutenant, Air Corps.
Kyle Rucker, colonel, Judge Advocate General's Department.
Francis A. Ruggles, lieutenant colonel, Field Artillery.
St. Clair Street, captain, Air Corps.
John Guy Strohm, colonel, Medical Reserves.
Harry Taylor, major general, retired.
Bernard S. Thompson, first lieutenant, Air Corps.
Harold Thompson, major, Cavalry.
Francis Bowen Upham, colonel, Adjutant General Reserves.
Frank Clayton Vincent, major, Infantry Reserves.
Roland F. Walsh, major, Quartermaster Corps.
Leonard D. Weddington, first lieutenant, Air Corps.
Ennis C. Whitehead, first lieutenant, Air Corps.
Franklin L. Whitley, major, Adjutant General's Department.
Royden Williamson, captain, Cavalry.
Charles A. Willoughby, captain, Infantry.
Ira Ayer, captain, Medical Reserves.
David Prescott Barrows, major general, reserves.
William Merriam Chadbourne, colonel, Chemical Warfare Reserves.
Sherman Montrose Craiger, major, Finance Reserves.
Edmund L. Daley, major, Corps of Engineers.
Herbert A. Dargue, major, Air Corps.
Warren Jefferson Davis, lieutenant colonel.
John H. Dawson, captain, Medical Administrative Corps.
John Ross Delafield, brigadier general, Ordnance Reserve.
Andrew J. Dougherty, colonel, Infantry.
Ira C. Eaker, captain, Air Corps.
Muir S. Fairchild, first lieutenant, Air Corps.
William Nafew Haskell, major general, reserves.
John Philip Hill, colonel, Cavalry Reserves.
Campbell B. Hodges, lieutenant colonel, Infantry.
Noble B. Judah, colonel, Field Artillery Reserves.
Arthur B. McDaniel, captain, Air Corps.
James I. Mabee, lieutenant colonel, retired.
Charles H. Martin, major general.
Jeremiah Joseph Murphy, warrant officer, also captain, Engineer Reserves.
B. Frank Cheatham, major general, the Quartermaster General.
William J. Nicholson, brigadier general, retired.
William Barclay Parsons, brigadier general, Auxiliary Reserves.
Charles McK. Robinson, first lieutenant, Air Corps.
Nathan Philip Ruditsky, first lieutenant, Military Intelligence Reserves.
Lucius A. Salisbury, colonel, Medical Reserves.
William H. Shutan, major, Quartermaster Corps.
Robert Henry Tundall, major general, reserves.
James A. Ulio, major, Adjutant General's Department.
Leroy Hodges, colonel, Reserve Corps.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania.

Mr. BLAINE. Mr. President, I desire to object to the present consideration of the bill. In fact, I am opposed to the bill, even as amended and as proposed to be amended. The amendment very clearly shows that there are others who ought to come under the bill. If we are going to discriminate, we might just as well stop this thing now——

Mr. REED of Pennsylvania. Mr. President, will the Senator permit me a word of explanation?

Mr. BLAINE. Instead of permitting additional names to be inserted of those who might receive these medals.

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

Mr. BLAINE. I want to make another statement and then I will be glad to yield.

Mr. REED of Pennsylvania. Will not the Senator let me explain my amendment?

Mr. BLAINE. As I view this situation, our Constitution prohibits the acceptance of such medals by American citizens. The Constitution is the law of the land. It was known and understood by these citizens. The governments which extended the offer of the medals had notice of our Constitution.

Mr. BRUCE. Mr. President, I object.

Mr. REED of Pennsylvania. Mr. President, will not the Senator withhold his objection for just a moment?

Mr. BRUCE. I will not, absolutely. I am opposed to this practice on principle. I think after a while decorations will become so abundant that it will be more honorable not to have one than to have one.

The PRESIDING OFFICER. The Senator from Maryland objects.

Mr. REED of Pennsylvania. Mr. President, may I have the attention of the Senator from Maryland for a moment? The bill to which the Senator has just objected is a bill giving consent to the acceptance of past decorations given to naval and marine officers and——

Mr. BRUCE. Mr. President, I did not understand that it was for past decorations. I thought it was prospective. I have no objection to it.

Mr. BLAINE. Mr. President——

Mr. REED of Pennsylvania. Mr. President, will the Senator allow me to make an explanation? I think we can shorten this debate. In the war time Congress gave consent that the officers of our forces should accept decorations from our allies. The amendment I have sent to the desk covers a large number of cases in which such decorations were conferred for war-time service but were not received until after the limiting date of the consent which was given in war time. The amendment would not permit any officer to accept a decoration in the future, nor would the original bill, on which the Senator from Wisconsin has been speaking.

The provision in the Constitution to which reference has been made authorizes the granting of consent by Congress for the acceptance of such decorations. The bill affects a very large number of officers, from every State in the Union, who in the past have rendered good service. We are all opposed to continuing this practice in the future. I think we have made it clear that Congress is not going to sanction it in the future. But it is pretty hard on those officers whose medals were delivered at the State Department the day after the time limit went on, and whose services in the war were creditable, to single them out for discrimination in comparison with their brother officers who were permitted to accept the decorations.

I know of some cases where the medals were given before the time limit expired but did not actually get across the ocean and into the hands of the officers before the limit was reached. Those are the persons we are trying to help by this legislation.

Mr. HALE. Mr. President, I think it is fair to say that the decorations conferred on the naval officers named in this bill were not decorations conferred for military services during the war. They were decorations conferred when American ships of war have visited in foreign ports, and on other similar occasions.

Mr. REED of Pennsylvania. But that was all in the past, was it not?

Mr. HALE. It was all in the past.

Mr. REED of Pennsylvania. It does not cover the conferring of any decorations in the future. The naval decorations are all decorations that have been awarded in the past.

I sympathize with what the Senator from Wisconsin has said, and the only reason I interrupted him was to explain that although——

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LA FOLLETTE. Has there been objection to the consideration of this bill?

The PRESIDING OFFICER. Objection was made, and it has been withdrawn. The question now is upon the amendment offered by the Senator from Pennsylvania.

Mr. BLAINE. Mr. President, if the Senator will yield, do I understand that this limits the decorations to the Navy and Marine Corps?

Mr. REED of Pennsylvania. And the Army. My amendment would include the Army. The list is complete. It was sent to me by the War Department.

Mr. BLAINE. Are those decorations to be conferred because of some prior act of Congress, the operation of which expired at a certain time?

Mr. REED of Pennsylvania. That applies to most of them. We gave general consent during war times, and that expired.

Mr. LA FOLLETTE. That does not apply to naval officers, according to the statement of the Senator from Maine.

Mr. REED of Pennsylvania. No; it does not apply to naval officers.

Mr. BLAINE. I object to the present consideration of the bill.

Mr. LA FOLLETTE. Regular order!

The PRESIDING OFFICER. The bill will be passed over.

DUPLICATE BRIDGE BILLS

Mr. BARKLEY. Mr. President, while I was temporarily absent from the floor the Senate passed five bridge bills, commencing with Calendar No. 302 and ending with Calendar No. 306. House bills similar to the Senate bill passed by the Senate have already passed the Senate, and there was no need of passing these. I ask that in each case the vote by which the Senate passed the bill be reconsidered, and that those Senate bills be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the votes by which the bills to which the Senator has referred were finally acted upon, being Senate bills 1410, 1406, 1407, 1408, and 1409, inclusive, will be reconsidered, and the bills will be indefinitely postponed.

UNALLOTTED LAND OF THE KLAMATH INDIAN RESERVATION

The bill (S. 2707) to provide for the classification of all unallotted land of the Klamath Indian Reservation and to reserve for forest-production purposes all land primarily adapted to the production of crops of timber, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to classify all unallotted lands of the Klamath Indian Reservation in Oregon on the basis of the primary adaptability of the lands for the production of agricultural crops, or the production of timber crops, and all lands classified under his direction as chiefly valuable for the production of timber, or the incidental purpose of water conservation, shall be maintained as the Klamath Indian Forest, the net income from which shall be used for purposes beneficial to the Indians having tribal rights on the Klamath Indian Reservation.

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

DOUBLE PENSIONS FOR SUBMARINE ACCIDENTS

The bill (S. 2998) granting double pension in all cases where an officer or enlisted man of the Navy or Marine Corps dies or is disabled as the result of a submarine accident was announced as next in order.

Mr. JONES. Mr. President, I have just read over the latter part of the bill. Does it mean that if there is a widow she will get a double pension, or if there are minor children they will get double pensions? The bill does not specify as to that. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

BEAR RIVER MIGRATORY BIRD REFUGE

The bill (S. 3194) to establish the Bear River migratory bird refuge, was announced as next in order.

Mr. JONES. Mr. President, that is quite a long bill. I rather think it should go over until there is some time for explaining it.

Mr. PHIPPS. Mr. President, will the Senator withhold his objection?

Mr. JONES. Certainly.

Mr. PHIPPS. I understand that the bill has the same purpose exactly as a bill which was passed by the Senate last year, in which an appropriation was authorized, which appropriation was included in the deficiency appropriation bill which failed of passage at the close of the last Congress. I think the bill is generally understood by Members of the Senate. It had the unanimous approval of the Committee on Agriculture and Forestry, I believe. At least, I have heard of no objection.

Mr. JONES. Is the bill in exactly the form in which it passed the Senate before?

Mr. PHIPPS. No; it is not in exactly the same form. The bill which passed the Senate last year was one I introduced. This bill has the same purpose, but it goes a little more into detail in explaining the manner in which the property shall be looked after and controlled.

Mr. JONES. Sometimes such details cause a lot of trouble.

Mr. PHIPPS. The details were added for the purpose of improving the bill.

Mr. JONES. I am rather inclined to think the bill ought to go over to-day, anyway.

The PRESIDING OFFICER. The bill will go over. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes.

Mr. ODDIE. Mr. President, I ask unanimous consent that the Senate shall continue for 15 minutes longer on the calendar. There is a bill just ahead, Senate bill 1341, upon which I am particularly anxious to have the Senate act.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that the Senate proceed for 15 minutes longer pursuant to the order under which it has been operating.

Mr. KING. Mr. President, I should be very glad to do that, but I know several Senators thought that at 2 o'clock we were to take up the unfinished business. They are not here and perhaps would be interested in some of the bills which might be called. I am interested in a number of bills which perhaps would be called under such an order, but——

Mr. ROBINSON of Arkansas. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard to the request of the Senator from Nevada.

MUSCLE SHOALS

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes.

Mr. NORRIS. Mr. President, yesterday when I surrendered the floor I was discussing some questions pertaining to nitrate plant No. 2 and the production of fertilizer by the cyanamide process. I had made the assertion that, in my opinion, the cyanamide process was out of date as compared with other processes for getting nitrogen from the air.

I think I ought to say now, before I go into the discussion in detail of the cyanamide process as compared with other processes, that I have no fault to find and no criticism to offer against the American Cyanamid Co. for its attempt to secure the acceptance of the bid which it has made, together with the Air Nitrates Corporation, for Muscle Shoals. Neither have I any criticism now of any attempt that has been made by the power companies to get possession of Muscle Shoals. I have no fault to find, for instance, with the officials of the Alabama Power Co., who have always been mixed up more or less in this question since we commenced to investigate it years ago. My relationship with the officials of the power company, with the cyanamide people, with the carbide people, and everybody else who has tried to get Muscle Shoals, has always been pleasant. I have never charged that any of those officials or any of those companies were dishonorable or that they were doing what, from their standpoint, was not the proper thing to do. I make no such charge now.

I have no knowledge of any advantage that has ever been sought by the so-called Fertilizer Trust, although that trust has been charged with being mixed in this matter more or less ever since the beginning. At the very beginning of the debate and consideration of this proposition—or at least within a year or so after it began—I introduced a resolution directing the Federal Trade Commission to investigate and report as to whether there was a Fertilizer Trust. They made the report, and I think it fair to say that in the judgment of the Federal Trade Commission there was no trust in existence as they understood it. There have been combinations, I think, in that respect; dealings with the farmers and farm organizations have been complained of very often; but I have not undertaken to go into that question, and I express no opinion either in commendation or condemnation of any of the practices that have been indulged in by any of those people. I preferred and have tried to follow that course—to consider the question on a higher plane.

None of these officials have ever undertaken, to my knowledge, to do anything with the committee that was not perfectly honorable and perfectly square. I have not agreed with any of those officials. I have never agreed with any of those who have made the bids for Muscle Shoals, commencing at the very beginning with Henry Ford. I have never made any complaint against Mr. Ford or his company for seeking to get Muscle Shoals. From a business standpoint the corporation or the individual that could get Muscle Shoals—and get it on terms which I think have always been laid down in the bids that have been submitted—would be getting a business advantage; would be getting a subsidy from the Government of the United States; and it would, in my opinion, constitute a very great blunder on the part of the Congress if it were permitted.

Now, I am going to discuss the cyanamide feature and the Cyanamid Co., and I am going to do it from that standpoint. It is a great corporation doing a great deal of business, but I think I will be able to show that if its bid were accepted and Muscle Shoals turned over to it it would be the greatest donation—the greatest subsidy by the Government of the United States—that has ever been given to any individual or to any corporation.

In my opinion the bill introduced by the Senator from Ohio [Mr. WILLIS], and which was in the committee offered as a substitute for the joint resolution which is now before us, is absolutely the worst bid of any that has ever been made, viewing it from the standpoint of our Government. I think I shall be able to show that it is purely and distinctly a power proposition. I am not finding fault with that because, as I look at it, there are two things that we have been considering all the time. One is power and the other is fertilizer. They were associated together by the original act in regard to Muscle Shoals, providing for the development of Muscle Shoals. They have been separating and getting further and further apart as new inventions have been made in processes for getting nitrogen from the air. I have contended always, and do now, that we can not make a fertilizer proposition of a power proposition. I am not finding fault with the people who try to get it, but according to my view every one of them that has ever undertaken to do it, from the very beginning down to now, has had in view the power they were trying to get, and fertilizer was a secondary consideration and only included in the bid because it was known that Congress was anxious to cheapen fertilizer for American agriculture.

Now, I had something to say and I am going somewhat into detail in regard to the Willis bill because, as I shall show more in detail, there has been put forth, before the American farmer particularly, a propaganda trying to induce him to get behind the bill now known as the Willis bill and to induce him to demand that his Senator and his Representative shall favor the bill. A great propaganda, which, in my judgment, has cost an enormous amount of money, spread over the United States to try to get public sentiment at home among the farmers aroused on the question of fertilizer, with the object of inducing them to try their best to secure the passage of the bill introduced by the Senator from Ohio. It is practically the same bill that was introduced during the last Congress, and which was before the joint committee having consideration of the Muscle Shoals property. To the Committee on Agriculture and Forestry of the Senate it is nothing new. We have had the question before us in one way or another, together with a large number of other bids, ever since the beginning of the controversy.

There are three ways of getting nitrogen from the air. The oldest one is known as the arc process, the next one as the cyanamide process, which is the one provided for in the cyanamide bid. The third is the synthetic process. Each one of them has some modification, particularly the latter, because there have been changes going on continually. I have no doubt that the arc process, which is the oldest process, as now operated in some places is a very great improvement over the arc process when it was first invented. The cyanamide process has been improved and is being further improved. It was known by scientific men all over the world before the World War. The synthetic process, that has made practically all of its development since the war, and is the newest of all, is likewise continually changing; new patents are being taken out and various improvements being made. Improvement is going on every day, I might say. Every new plant seems to be an improvement over the old one. So that I have a great deal of confidence that eventually fertilizer for the American farmer will be cheapened very materially.

The arc process requires a great deal of power. To a great extent it has gone out of use. It is only employed now where power is very cheap, and then I think practically only where the plant is already constructed and it is desired to avoid the loss of scrapping. In a modified way the same thing may be said of the cyanamide process, although there have been some new plants erected.

The total annual capacity for nitrogen fixation by the arc process is 44,750 net tons; that is, there is enough machinery in the world using the arc process to produce that many net tons in a year, but the 1927 rate of production was only 39,240 tons, showing that it was not used even to its capacity.

Mr. FLETCHER. How much of that was produced in the United States?

Mr. NORRIS. None of it was produced in the United States. There is not an arc process plant in the United States and there never has been one.

The total annual capacity in the world for nitrogen fixation by the cyanamide process is 315,500 tons, but the rate of production in 1927 was only 174,250 tons.

Plants for the fixation of nitrogen by the direct synthetic ammonia process, the Haber process and its different variations, have an operating capacity of 663,000 tons, with an additional 316,160 tons under construction, showing that in the business world there has been a wonderful increase in the plants producing nitrogen from the air by the synthetic process.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. COPELAND in the chair). Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. I yield.

Mr. SIMMONS. What percentage of that is produced in the United States?

Mr. NORRIS. I can not give those figures, although I am going to give what I think is a complete list of all the plants in the world which produce nitrogen by each one of these processes, what their operating capacity is, and how much they produced in the last year.

Mr. SIMMONS. Is it not a fact that Germany produces more by the synthetic process than any other country in the world?

Mr. NORRIS. I think that is a fact, although when I get further into the figures they will show definitely whether that is true or not, but I believe it to be true.

Mr. SIMMONS. I do not know whether the Senator in his investigation has inquired into the relative cost at which nitrogen is produced in Germany and in the United States, but I am under the impression that in Germany it is produced very much more cheaply than we produce it, and that the Germans rely almost entirely for their supply of ammonia upon the products of factories operating under the Haber process.

Mr. NORRIS. I think that is true, although the Senator from North Carolina must remember that in Germany there were a great many plants using other processes. I do not think there is any using the arc process there, but recently a combination was effected between the owners of plants in Norway, where the arc process was used almost exclusively, and where it was invented, and the owners of plants in Germany by which many of the plants which were extracting nitrogen from the air by the arc process were changed. In some places the entire machinery, I think, was scrapped, and in other places it was modified and they used what they could and installed the synthetic-ammonia process instead.

Mr. SIMMONS. My impression is that in Germany they use a larger percentage of ammonia than we do in this country in the fertilization of their lands; that they obtain the chief ingredients of fertilizer almost exclusively from the air, and obtain it much more cheaply than we are able to get it from the air in this country or to get it from Chile. In that way the German farmer has a very great advantage over our farmer. I was wondering why the German factories were able to produce this product so much more cheaply than the American factories are producing it, if that be true.

Mr. NORRIS. That is true. I thought I could see why they could produce it more cheaply, and I made an attempt to get definite figures. If I can get them I will furnish them. I have forgotten what they were now. I only remember, in a general way, that there were several reasons that were given to me by the authorities why the Germans were producing it more cheaply. One was that everything, including labor, in Germany was much cheaper than it was here. The cheapness of the product there was accounted for in that way. I was also assured by scientific men, of whom I made inquiry, that Germany possessed no knowledge now of any method of getting nitrogen from the air that we were not in possession of here. Not only that, but I do not believe it is unfair to say that American scientists have rather led the world along this line. They have been consulted; they have been employed in the production plants in almost all portions of the globe. So I believe, in so far as the science itself is concerned, we are not behind any country in the world.

Mr. President, at this point I ask to have printed in the RECORD tables showing the location, annual capacity, and 1927 rate of production of plants engaged in the fixation of nitrogen by the various processes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables are as follows:

Nitrogen fixation by arc process

Location	Annual capacity	1927 rate of production
	Net tons	*Net tons*
Rjukan, Norway	31,000	38,000
Notodden, Norway	8,000	
Rhina, Germany	4,500	
La Roche de Rame, France	250	250
Patsch, Austria	1,000	1,000
Total	44,750	39,250

Nitrogen fixation by cyanamide process

Location	Annual capacity	1927 rate of production
Germany:		
Piesteritz	35,000	30,000 +5,000
Trostberg	35,000	35,000+20,000
Waldshut	12,000	8,000
France:		
Bellegarde	5,000	3,250
Lannemezan	15,000	10,500
Marignac	6,000	2,500
Brignoud	6,000	3,000
Modane	4,000	1,000
Sisteron	5,000	--------
Italy:		
Terni	10,000	5,500
Domodossola	3,500	1,000
Ascoli Piceno	2,500	1,000
San Marcel	1,000	500
Switzerland, Martigny	2,500	2,500
Japan:		
Osaka		
Hokkaido	20,000	5,000
Fuchan		
Mandschurei		
United States, Muscle Shoals, Ala	40,000	--------
Canada, Niagara Falls	25,000	25,000
Yugoslavia:		
Sebenico	7,000	7,000
Almissa	7,000	
Poland, Chorzow	30,000	17,000 +5,000
Czechoslovakia, Karlsbad (Falkenau)	6,000	4,000 +2,000
Norway, Odda	15,000	4,500
Rumania, Ungar-Altenburg	5,000	3,000
Sweden:		
Ljunga	3,000	2,500
Alby	3,000	2,500
Total	315,500	174,250+32,000

Nitrogen fixation by direct synthetic-ammonia process, net tons nitrogen per year

Location	Company	1927 operating capacity	1927 capacity under construction
Germany:			
Oppau	Badische Anilin und Soda Fabrik	125,000	--------
Merseburg	do	315,000	60,000
Piesteritz	Mitteldeutsch Stickstoff Werke	--------	2,500
England:			
Billingham	Synthetic Ammonia & Nitrates (Ltd.).	20,500	52,000
Widnes	United Alkali Co. (Ltd.)	--------	3,150
France:			
Montereau	Société Chimique de la Grande Paroisse.	1,500	--------
Toulouse	French Government	--------	57,000
Soulom	Ste. des Engrais Azotes et Composes	15,120	--------
Bethune	Compagnie des Mines de Bethune	6,000	12,000
St. Etienne	Houilleres de St. Etienne	540	3,260
Decazeville	Société de Commentry Fourchanbault et Decazeville.	3,000	--------
Henin Lietard	Ste. des Mines de Dourges	4,725	--------
Pont a Vendin	Ste. des Mines de Lens	7,000	--------
Henin Lietard	Cie. des Mines de Vicoigne Noeux & Drocourt.	4,725	--------
Anzin	Cie. des Produits Chimiques Anzin Kuhlmann.	7,000	--------
Carling	Ste. Houillere de Sorre et Moselle	--------	4,725
Firminy	Cie. des Produits Chimiques de Roche La Moliere.	4,725	--------
Marles	Société des Mines de Marles	--------	7,500
Waziers	Soc. l'Ammoniaque Synthetique	--------	4,350
St. Auban	Cie. d'Alais Froges et Camarque	730	3,150
Belgium:			
Willebrock	Société Evence Coppe	--------	10,000
Ougree	Société Belge de l'Azote	4,500	--------
Ostend	S. A. des Fours a Coke Semet Solvay and Piette.	7,500	--------
Selzaete	Etablissements Kuhlmann	--------	7,500
Japan:			
Hiroshima	Suzuki & Co	3,000	--------
Nobioka	Nippon Chisso Hiryo Kabushiki Kaisha.	19,500	--------
Minamata	do	18,900	12,600
Russia, Ninjinougorod	Severny Chimicecky Trust	--------	7,560
United States:			
Syracuse, N. Y	Atmospheric Nitrogen Corporation	11,550	--------
Hopewell, Va	do	--------	35,000
Charleston, W. Va	Lazote, Inc	6,350	--------
Seattle, Wash	Pacific Nitrogen Corporation	865	--------
Niagara Falls, N. Y	Niagara Ammonia Co	2,000	--------
Do	Mathieson Alkali Works	2,880	--------
Do	Roessler-Hasslacher Chemical Co	865	865
Pittsburg, Calif	Great Western Electrochemical	300	--------
Italy:			
Terni	Societa Italiana Ricerche Industriali Siri.	1,545	--------
Nera Montoro	Terni Societa per l'Industria & l'Elettricita.	9,765	--------
Dalmazia	Societa Italiana Forse Idrauliche della Dalmazia.	--------	15,000
Novara	Societa Piemontesse Ammonia (Montecatini).	5,750	--------
Italy—Continued			
Merano	Montecatini	37,800	--------
Mas (Belluno)	do	1,000	--------
Vado	Societa Azogeno	--------	3,000
Bussi	Societa Azoteno	1,500	--------
Spain:			
Sabinandigo	Energia Industrias Aragonesas, S. A	4,725	--------
Felguera	Société Iberica del Nitrogeno	3,150	--------
Flix	do	700	--------
Switzerland, Viege	Usines Electriques de la Lonza	2,200	5,000
Sweden, Ljunga	Stockholm Superfosfat Akt	--------	2,500
Poland, Knurow	Société Fermière des Mines Fiscales de l'Etat Polonais.	--------	3,000
Czechoslovakia, Ignatz	Société Czechoslovakia d'Azote	--------	4,500
Total		663,010	316,160

Mr. NORRIS. Mr. President, Doctor Cottrell, whom all Senators know and who is employed at the Research Laboratory Bureau which has charge of this kind of work, has invented quite a number of improvements. I think he had some of them patented and that he gave them to the world. He is a poor man, working on a salary, but he was so interested in the work and became so intensely wrapped up in it that his enthusiasm for cheapening the methods of securing the ingredients of fertilizer, particularly nitrogen and phosphorous, led him to give to the world every invention he has made. His name among chemists all over the world is as well known as the name of our own President is known to us, and they hold him almost in reverence. I have not learned of any exception. Doctor Cottrell—and before I conclude I will read from a statement that comes from his bureau comparing these processes—is universally respected by all who know him, whether they agree with him or not. This very morning I had a conference with Mr. Bell, a very interesting and delightful conference. Mr. Bell is president of the Cyanamid Co. He is in favor, of course, and has done everything he could to secure the passage of the Willis bill, accepting the Cyanamid Co.'s bid. I asked him about Doctor Cottrell this very day, and, although he knows Doctor Cottrell is not in favor of the bid of his company and that Doctor Cottrell's word will go a great way with those who are trying to solve this problem properly because of the confidence all have in him, he has just as great respect for Doctor Cottrell as any man possibly can have. He told me to-day of the valuable assistance to the scientific world Doctor Cottrell had rendered and how scientific men everywhere almost revere his name because he has never made a cent of profit out of any of his discoveries.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. I yield.

Mr. SIMMONS. The subject in which I am particularly interested is the cost. I agree with the Senator that there has been great improvement in the method of extracting nitrogen from the air and the experiments that are being conducted now promise even greater improvement; but I have not seen any evidence as yet that as the result of such activities and such development the price of the product to the farmer has been reduced in the slightest. Looking at the subject from the farmer's standpoint only, he is interested in getting a product which will be cheaper than the product heretofore relied upon, namely, nitrate of soda imported from Chile. The farmers are now buying chiefly that kind of fertilizer, and they are buying it because they can buy it as cheaply and possibly more cheaply than they can the other, and it is probably a much safer fertilizer for them to use than the other.

If the Senator has any information that indicates that the experiments and developments which are taking place are likely to result in such a decrease in the price of ammonia as will enable the farmer to get his necessary nitrate of soda or ammonia through our own factories instead of having to import it, I should like very much to have him give the Senate the benefit of that information, if he has it. I do not know whether he has it or not, and if he has it not I do not want to interrupt him by further questions along that line.

Mr. NORRIS. Mr. President, I think I can enlighten the Senator somewhat on that subject. It is possible that up to the present time this decrease in the cost of getting nitrogen from the air has not reached the farmer in fertilizer form. Nitrogen is only one ingredient of fertilizer.

Mr. SIMMONS. It is the chief ingredient, though.

Mr. NORRIS. I do not know as to that.

Mr. SIMMONS. Yes, Mr. President.

Mr. NORRIS. It is a necessary ingredient. Everybody knows that.

Mr. SIMMONS. I will say to the Senator that I have some information upon that subject. I am somewhat of a farmer myself, and I buy fertilizer very heavily and I know that it is not only the chief ingredient but it is the ingredient that makes the fertilizer expensive, that adds more to the cost of the fertilizer than either potash or acid phosphate, the other two ingredients.

Mr. NORRIS. Now, Mr. President, if the Senator will permit me, I will take up briefly what I believe to be an answer to his inquiry, which I concede, is a very proper one.

These inventions, these improvements, the Senator must remember, are very recent. The whole thing has come since the war; and the extraction of nitrogen from the atmosphere, coming as it has by degrees—first by a small factory, then by one a little larger, then a few more—has not up to the present time produced enough nitgrogen to get it into the fertilizer world to any great extent.

One of the objects of the joint resolution that I am trying to pass is to provide for the extraction of nitrogen and the making of fertilizer on a sufficiently large scale so that it will be practical, and can be adapted to the use of the farmer.

One of the things that the scientific world has been trying to do for a good many years is to get a concentrated fertilizer. One of the things that they want to cheapen, and which they must cheapen if they make fertilizer very much cheaper, is the cost of the phosphorus that is in the fertilizer, the combining of the phosphorus with the nitrates and with the potash. These chemicals are often secured, and, when you try to combine them, you find a difficulty that you have to overcome by experimentation. So, in a very general way, it may be said that a great deal of this work is still laboratory work, although many thousands of tons of nitrogen have been extracted from the air during the last year by the synthetic process, and many more thousands will be extracted during the coming years. Up to now they have used most of it in different kinds of things, various things.

For instance, the Cyanamid Co.—and I am going to offer this in evidence, I think, after a while—produce over 50 different kinds of chemicals, and, I think, minerals, perhaps, that are used in the arts and used in making explosives. The du Pont people use all that they make in making powder and other explosives.

I am told by the Senator from Virginia [Mr. GLASS] that the people who are erecting the plant at Hopewell, Va., which, when it is completed, will be the largest plant in the world using the synthetic process, and is going to cost something like $125,000,000, as I understand, expect to go into the fertilizer business themselves on a very large scale; and they are going to be able to produce fertilizer, so they believe—and I believe it, too—cheaper than the Du Ponts are producing it down in West Virginia. It is perfectly natural that they should, because theirs is a newer plant; so that the cost is going down all the time.

The cyanamide people make cyanamide, which in itself, if you could apply it properly to a plant, is a good fertilizer, although it contains no fertilizer ingredient except nitrogen. It has neither potash nor phosphorus in it; but if you put the cyanamide next to a plant it would kill it. It would burn it up. We make a good deal and send it abroad, even to Germany, and it is combined with potash over there. When we make a fertilizer here we have to send to Germany and get the potash and bring it over and combine it. The Cyanamid Co. own large beds of phosphate rock in Florida. They make a great deal of ammo-phos, which has two fertilizer ingredients, phosphorus and nitrogen. It lacks only potash to make it a complete fertilizer; and if you had a soil that needed nitrogen only you could fertilize it with cyanamide if you put it in properly. It would take a scientific man to put it in, because, as I said, it is disagreeable to handle, difficult to handle, and dangerous to handle—that is, dangerous to the plant you put it on.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, I was present on yesterday when the Senator from Virginia [Mr. GLASS] made his statement.

Mr. NORRIS. The statement I referred to was made to me in private conversation. I did not refer to what the Senator said in the Senate.

Mr. SIMMONS. That is the first hopeful indication I have seen that the manufacturers of cyanamide or nitrogen by the other processes in this country were at all interested in its production for use in fertilizing the soil. They were producing it, as the Senator said yesterday in the case of the du Pont Co., in large quantities; but they were producing it for the purpose of supplying their plants engaged in the manufacture of explosives. Others were producing it for other scientific purposes. Nobody seemed to be especially interested in the production of nitrates from the air for the purposes of fertilizer.

The Senator will remember—and that is the reason why I am on my feet now—that I, together with a number of other Senators on this side of the Chamber, have insisted very earnestly in the past that this great property that the United States has at Muscle Shoals should be used primarily for the production of cheap fertilizer for the farmer. In the conditions that existed when we made that contention the manufacturers of ammonia in this country were not making it for fertilizing purposes. We insisted, therefore, that the Government owed it to the farmers to use this great power down there to see that they were supplied with nitrogen extracted from the air as cheaply as it was possible to extract it.

If in the meantime the industries that are engaged in the manufacture of this material are producing it or beginning to produce it in large quantities in the form in which the farmer wants it and must have it, and will sell it to him at reasonable prices, so that he may escape the terrific burden that is now imposed upon him by having to buy it from a foreign country, of couse, the situation has changed very much. Outside of what the Senator from Virginia has said, however, with reference to the plant at Hopewell—which is to be a very extensive one—I know of no effort on the part of any manufacturers in this country to produce this material for use in fertilizer except to a very limited extent; and that is the reason why I interrupted the Senator.

Of course, the farmer is interested in the matter only from the standpoint of fertilizer, and from the standpoint of getting a cheaper fertilizer than he is getting now. If there is no hope of getting it through individual effort, then if the Government has a plant where power is developed it could not, in my judgment, use that power for a better purpose than to experiment and, if possible, work out some process by which it can supply the farmers of this country with this absolutely essential ingredient in the production of crops at a lower price than they have to pay for it now, ranging, I will say to the Senator, when we buy it now all the way from fifty to sixty dollars a ton cash, and a much larger sum if it is bought on time; and most of it has to be bought on time.

Mr. NORRIS. If the Senator means what I assume his last remark might mean—that since we have nitrate plant No. 2, which will get nitrogen from the air, we ought to operate it, even though it will cost twice as much as it would cost to build a new plant under modern conditions and operate that—then I disagree with him.

If he means that he wants the Government to experiment in an enlightened way, the most scientific way, then I am willing to go to any length and spend almost any amount of money to have the Government do it. That is what I think we are going to accomplish by the passage of the joint resolution if it is enacted into law.

The fact that the farmer has not got the benefit of it now is probably because, as I tried to say awhile ago, up to the present time those who have engaged in the business have done it for other purposes than fertilizer; for instance, the ammonia people. There is a vast amount of ammonia sold. There are dozens of other things and chemicals that I can not name; but pure ammonia is 85 per cent nitrogen, and the ordinary ammonia that we buy at the drug store, as far as nitrogen is concerned, is a good fertilizer. It contains from 25 to 30 per cent of nitrogen. That is known as aqua ammonia.

Mr. SIMMONS. The two terms are almost interchangeable.

Mr. NORRIS. Aqua ammonia and ammonia are not quite interchangeable.

Mr. SIMMONS. Not quite; no.

Mr. NORRIS. Ammonia is 85 per cent nitrogen and aqua ammonia is only about 25 or 30 per cent nitrogen. If by the expenditure of Government money we can still further improve the process so that it can be known that we can make a fertilizer much cheaper than it is made now, then it is our theory that the fertilizer people will utilize it and make a cheaper fertilizer.

I agree with the Senator that what is going on at Hopewell is a hopeful sign; and when I get through with the figures that I was in the midst of giving I think I will demonstrate to the Senator that this method of getting nitrogen from the air has been growing with rapid strides, and has grown faster in the last year than in any other year in history. Now let me give you some more of them.

Mr. SIMMONS. I do not think the Senator and I are so far apart. I do not insist that the Government shall use the entire power that is now developed or may hereafter be developed at Muscle Shoals for the purpose of making fertilizer; but I do insist that no bill shall pass here that does not provide that the Government shall maintain a plant there and shall experiment with a view to ascertaining whether it is feasible and possible to produce at a reasonable price such a product as the farmer requires. If it is not feasible and possible, then we should abandon it; but if it is, then we ought to have a reserve power that can be utilized for that purpose.

Mr. NORRIS. Mr. President, I agree with the Senator. We will find, however, power is a secondary, almost an incidental, consideration; that you can get power to run machinery almost anywhere in the United States, except at some inaccessible point, and that as far as we know now cheap coke is more important in producing nitrogen than any other one thing.

When I was interrupted, Mr. President, I was giving some statistics in regard to the synthetic-ammonia process, and I had said that the various synthetic-ammonia processes of the world had an operating capacity in 1927 of 663,000 tons of nitrogen. That was the capacity. It will be remembered, in regard to the arc process and the cyanamide process, that I gave the capacity, and it was found that the actual production was much below the capacity. In this case the actual production was only a few tons below the actual capacity, showing that it is going at full blast, in that in the year there were under construction additional plants amounting in capacity to over 316,000 tons.

Mr. President, let me give the figures as to these various plants by years. In the year 1913, the year before the war, there were seven arc plants in the world, and they produced 18,000 tons of fixed nitrogen. There were 15 cyanamide plants, and they produced 60,000 tons. It will be seen they were comparatively small plants. There was only one synthetic-ammonia plant in the world in 1913, and that produced 7,000 tons of fixed nitrogen, a comparatively small plant, to some degree experimental, I should say.

Let us go forward five years, from before the war to after the war. In 1918, the war just being over, and there not having been much chance of expansion, there were 12 arc plants in the world. They produced 38,000 tons of nitrogen. They had increased from seven during the five years. There were 35 cyanamide plants, and they produced 325,000 tons of fixed nitrogen. They had increased from 15 in number, had more than doubled in number, and a great deal more than that in production—from 60,000 to 325,000.

In 1918 there were three synthetic-ammonia plants. There was only one in 1913. While the percentage of increase was great, the actual increase was only two plants, but they were large. Those three synthetic-ammonia plants produced 308,000 tons—still not being up to the production of the cyanamide plants.

Let us jump now from 1918 to 1927—last year. There had been opportunity to improve and increase since the war. There were seven arc plants in 1927, and their estimated production was 42,000 tons. There were only seven in 1913. There were 12 in 1918. They lost in number, although they were larger plants. They increased in production.

There were 28 cyanamide plants, and they produced 285,000 tons of fixed nitrogen. In 1918 they produced 325,000 tons. They had fallen off.

The synthetic ammonia process plants number 49 in 1927, increasing from 3 in 1918. The production was increased from 308,000 tons to 663,000 tons. I think those figures are eloquent pleaders for the proposition I have laid down and for the proposition contained in this resolution.

I have here a list of the nitrogen fixation process plants, giving the names. Those plants are mostly in Norway, Germany, France, and Austria. They have a capacity of 44,750 tons annually, but the actual production in 1927 was only 39,250 tons.

I have here a list of the nitrogen-fixation plants using the cyanamide process. There is a long list of them, more than a page, but the total capacity of all of them is 315,500 tons. The actual production was only 174,250 tons.

Here I have a list of the nitrogen-fixation plants using the synthetic-ammonia process, showing the operating capacity in 1927, which was 663,010 tons, with plants under construction in 1927 with an estimated capacity of 316,160 tons. When that construction is completed, we will have plants with capacity to produce 1,000,000 tons of nitrate by the synthetic process, and the increase has practically all come since the war. That is the new process. It has taken possession of the business and the scientific world, and is the real process any scientific or business man would adopt if he were going to get nitrogen from the atmosphere.

I want to read some testimony to the Senate now. I have before me a letter from Doctor Howe. I think I ought to pause here to tell the Senate who Doctor Howe is. He is editor of Industrial and Engineering Chemistry, published in Washington, D. C. He edits the official publication of the American Chemistry Society. That magazine is known all over the civilized world among chemists and scientific men. It is the leading publication of its kind in the world.

Doctor Howe has been decorated by kings in Europe for his service in the world of chemistry. He is well known all over the world as one of the leading chemists, and is the leading authority on this subject everywhere in civilization. He has no more interest in Muscle Shoals than has any other citizen of the United States. He has no interest in any of these processes, in any of these corporations that are interested in the patents, either directly or indirectly, in any way, so that I figure that Doctor Howe's judgment and Doctor Howe's opinion are worth a great deal.

I have before me a speech made by Doctor Howe in Chattanooga, Tenn., on October 14, 1927. The subject of it is "Chemistry in industry." I want to read a few extracts from that speech. He said:

> To-day the best statistics available show the following interesting comparison. The total annual capacity for nitrogen fixation by the arc process is 44,750 net tons.

That is practically what I have already stated. It may vary a little.

> The 1927 rate of production was 39,240 tons. The total annual capacity for nitrogen fixation by the cyanamide process, world figures, is 315,500 tons, but the 1927 rate of production was only 174,250 tons. Fixation by the direct synthetic-ammonia process, meaning the Haber process and the variations known by other names, has an operating capacity of 663,010 tons, with an additional 316,160 tons under construction. The 1927 rate of production has been within a few tons of the total operating capacity, some of the smaller works having been idle for portions of the year. These figures speak eloquently of world trends.
>
> It is history that when the war broke and it became apparent that we should not depend wholly upon Chilean nitrate, the cyanamide process was the only one sufficiently well known in this country to justify the erection of a large plant, and No. 2, at Muscle Shoals, became the largest single cyanamide plant in the world. It is also history that the No. 1 plant, erected as an experiment, produced fixed nitrogen only experimentally but that it served a useful purpose as a pioneer enterprise in this country, paving the way for a synthetic-ammonia industry which in my opinion has to-day rendered the Muscle Shoals plants obsolete—

He is speaking of nitrate plant No. 2—

> whether considered from the standpoint of nitrogen for defense or nitrogen for the uses of agriculture.
>
> Since the Muscle Shoals project has always been allied with the needs of agriculture as well as those of war, it may be well to emphasize some of the factors which to-day control the location of plants for the fixation of atmospheric nitrogen. In view of the greater power requirements, and considering that the cyanamide and the arc process must have electric energy, and the fact that the steps from the nitrogen of the air to the nitrogen in the form available for agriculture are easier and more direct by the newer process, it seems unnecessary to discuss in detail how the synthetic-ammonia process has become supreme. It has been abundantly demonstrated in all parts of the world that, other considerations being comparable, the erection of a plant to fix nitrogen to-day is based wholly upon the synthetic-ammonia process. More than that, I am proud to say that American methods, American processes, and American engineers are taking precedence over others, even in the building of plants in Norway and in Czechoslovakia, for the fixation of nitrogen.
>
> The great plants that have been built and are in process of construction in this country have been located with respect to coal, and, secondly, to markets; and none of them have been placed near a great source of electrical energy. I am informed that there are locations where surplus water power seeks a market and yet those who would manufacture the compounds of nitrogen for industry, in which we include agriculture, have passed them by in favor of close proximity to coal, with ease of transporting that basic raw material. * * *
>
> These fundamental criteria have convinced the scientists and the engineers qualified to judge that to compel the allocation for any considerable period of any substantial part of Muscle Shoals power to the manufacture of fertilizer would be wholly unjustified and little short of criminal. There is nothing disgraceful and no indication of breach of faith in saying frankly to the farmer, who has been made to believe that the operation of Muscle Shoals will reduce the fertilizer bill anywhere from 25 to 43 per cent, depending upon the imagination of the

prophet, that since the original bills were passed the progress of science has changed the picture and that for the same reason he is sure to be able to buy nitrate, thanks to synthetic ammonia, for less in future than in the past, not to mention the other ways out.

Mr. KING. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER (Mr. SACKETT in the chair). Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. KING. The statement which has just been read by the Senator, as I understood him, was for the purpose of demonstrating that the cyanamide process of manufacturing fertilizer is not feasible. I ask for information whether the Senator recalls the report made by former Senator Ladd when he returned from Germany a short time before his death, in which he explained that he had visited one of the large plants constructed in that country, which manufactured nitrates and fertilizers which were sold in various parts of the world. I went with Senator Ladd to the plant to which he referred in his address. I do not recall whether the cyanamide process was employed in the manufacture of fertilizer in that plant.

Mr. NORRIS. Can the Senator tell me the name of the town where it was?

Mr. KING. I had forgotten for the moment. It was about a hundred miles from Berlin. I remember that.

Mr. NORRIS. If the Senator will give me the name of the town I think I can tell him what kind of a plant it was.

Mr. KING. It was the only plant Senator Ladd visited, to my knowledge, and we were together there during the time we were in Germany. May I say that the plant was successful. They used brown coal for the development of heat, and they did not have the benefit of cheap water power. They manufactured large quantities of fertilizer which, as I said, was distributed throughout the world, and they manufactured it very cheaply. It was a nitrogen product. They took the nitrogen from the atmosphere and converted it there, before one's very eyes, into this rich nitrogenous fertilizer. I was wondering why the Senator was combating the fact that fertilizer of that character could be manufactured cheaply.

Mr. NORRIS. I can not tell the Senator unless he would tell me the process used there. I have an idea from what the Senator said.

Mr. KING. It was merely taking nitrogen from the atmosphere.

Mr. NORRIS. That is what every one of them does. We have the atmosphere here and it has nitrogen in it, and the process is to get it out.

Mr. KING. Fortunately we have the same atmosphere everywhere.

Mr. NORRIS. And the nitrogen is just the same, but the method of getting it out is different. If the Senator could tell me whether that was the arc process, the Haber process, or the synthetic-ammonia process, I could give him some information.

Mr. KING. I think it was the Haber process.

Mr. NORRIS. That is the synthetic-ammonia process. I would expect to find that in Germany, and that is the kind of process I am advocating.

Mr. KING. All I know is that it was made very cheaply and was of very superior quality.

Mr. NORRIS. If the Senator could give me the name of the town I could probably tell him exactly, because I have here a list of every plant in the world, both of the synthetic process, the Haber process, and the arc process.

Mr. KING. I do not recall the name.

Mr. HEFLIN. Germany has both.

Mr. NORRIS. Yes.

Mr. HEFLIN. They have the Haber process and the synthetic process.

Mr. NORRIS. Yes; Germany has both.

I mentioned a while ago that there is a combination between some Germans and Norwegians where they combine the different plants. This information comes from our own Bureau of Foreign and Domestic Service, as follows:

The negotiations pending between the Norsk Hydro and the I. G. Farbenindustrie have now, according to reliable reports, come to the following arrangement or contract between the two parties.

The two companies will exchange shares so that each will hold an appreciable amount of shares of the other. This will be accomplished by an increase in capital by both the Norsk Hydro and the I. G. Farbenindustrie. A complete exchange of patents, methods, and experimental information will be effected, and the agreement will also result in a sales combination.

For the Norwegian industry the agreement will immediately lead to the complete modernization of the plants at Notodden and Rjukan, through which the present volume of production, 33,000 tons per year, will be greatly increased. It is the plan to discontinue the Birkeland-Eyde arc process and replace it by the German Haber-Bosch method, which is much more economical, giving from three to four times as great a volume in proportion to consumed current.

It appears that the Norwegian output will be tripled by the new Norwegian-German agreement and that Germany would benefit through the elimination of competition in allocated markets.

This would show that not only in this country but in Germany and in Norway the tendency is growing toward the Haber process, known by various names, but as a general term known as the synthetic ammonia process.

Now, I want to read from a bulletin issued by the research laboratory, Bureau of Soils, Washington, D. C. That is the laboratory over which Doctor Cottrell has jurisdiction. The bulletin comes from his bureau. It starts out by saying:

From a study of the statistics as shown, there can be no doubt that the fixation of atmospheric nitrogen for agricultural and peace-time uses, as well as for war use, is here to stay. Not only does it appear that the products of such fixation can successfully compete with Chile nitrate, but also that atmospheric nitrogen is displacing and will continue, in a large and perhaps increasing measure, to displace Chilean nitrate. Of the three atmospheric nitrogen fixation processes, the position of major prominence held by the direct synthetic ammonia process can not be disputed. Not only is the production by this process far in excess of the combined production of the arc and the cyanamide processes, but the capacity in the former case is being greatly increased, while no expansion in the two latter processes is anticipated. In fact, a part of the increase in capacity of the direct synthetic-ammonia process is to displace the cyanamide process capacity. Of the hydrogen required for the fixation of nitrogen, according to the direct synthetic-ammonia process, 82 per cent is produced through coal, either from water gas or by-product coke-oven gas, as compared with 15 per cent by the electrolysis of water. The world is fast becoming less and less dependent upon Chile as its source of supply of inorganic nitrogen, while several of the major nations have reached or are approaching the position of total independence of foreign sources of supply.

That comes from a bureau which, in my judgment, on this subject is not surpassed anywhere in civilization. It is recognized as such all over the civilized world. Further on in this bulletin, speaking of the fixation of nitrogen, it is said:

Commercial fixation may be considered as having started in 1903, when the first successful experiments were carried out in Norway by Birkeland and Eyde. This method, known as the arc process, is the result of attempts to emulate the lightning discharge.

Although, with a few small exceptions, fixation by this process has been confined to Norway, and has never become a large factor in the world's supply, nevertheless, it served as the pioneer, which was soon followed by the cyanamide process and later by the direct synthetic-ammonia process.

The atmospheric nitrogen fixation industry has enjoyed a rapid growth, stimulated, no doubt, by the war, but also later undoubtedly retarded by the effects of the war. From the small beginning of 1903 production increased to 9,000 tons in the year 1910, and over 600,000 tons for the year 1925. While this production in 1910 represented but 1.4 per cent of the total production, the 1925 fixed atmospheric nitrogen production, which was approximately equal to the total world nitrogen production of 1910, represented 45 per cent of the total 1925 production.

Of the 1925 production but 41,000 tons, or 6.7 per cent, were fixed by the arc process, 188,000 tons, or 30.3 per cent, by the cyanamide process, and 390,000, or 63 per cent, by the direct synthetic-ammonia process.

That, it will be remembered, was in 1925, and I have already given the figures to show that the synthetic-ammonia process up to 1927 had practically doubled the amount given here as having been produced in 1925. The amount in 1927 under construction, being something over 316,000 tons, almost equaled the total production of 390,000 tons in 1925, just two years before. If there is anything of a scientific nature that can speak more loudly or more forcibly than that, I have not been able to find it.

Further on in the same pamphlet it is said:

The nitrogen fixation industry is developing so rapidly, capacity and production figures are ever changing. New direct synthetic-ammonia plants are being erected, plans are on foot for substituting direct synthetic-ammonia plants for cyanamide plants, and new developments in the direct synthetic-ammonia process are being announced. By diverting the power now being used to fix the 40,000 tons of nitrogen as of the year 1925 by the arc process to the direct synthetic-ammonia process, 100,000 tons of nitrogen could be fixed. One producer of cyanamide advises that "As a whole, I think the production of cyanamide

is at a standstill. The existing factories are probably used, as far as possible, but no new factories will, in my opinion, be built, owing to the high production costs per ton of nitrogen compared with synthetic nitrogen."

In parts of Europe, however, the market is still good for cyanamide, and it is likely this market will continue for some time.

Mr. President, it ought to be remembered, though, I think, I might remind Senators again of it, that there is not a member of the Agriculture Committee who has any interest in this matter except to get cheap fertilizer. I do not think there has ever been an idea on the part of any of them of doing anything else but what, in his judgment, was best for the American farmer. I do not believe I underestimate the importance of fertilizer, although I knew little about it when I commenced to study the question, because I come from a section of country that is but little interested in fertilizer, where the soil is new and where very little fertilizer is used. But I can say that fertilizer is one of the most important items that any Congress or any official having anything to do with agriculture or the future of the human race has to deal; I do not believe its importance can be overestimated; and great as I think is the benefit to the people of the development of hydroelectric energy, I think it sinks into insignificance when compared with the fertilizer proposition. I hope I am broad enough, I hope I am patriotic enough, notwithstanding I come from a portion of the country that does not much need fertilizer, not to close my eyes to the need of agriculture in other parts of the United States where fertilizer is an absolute necessity if food is to be produced for the people and the farmer is to prosper in any degree.

It is immaterial to me, Mr. President, what process for the production of nitrogen may be used; there is not anything sacred about any process; but I believe Congress ought to act as would a set of business men engaged in the consideration of a business proposition. If we have machinery engaged in the production of some commodity and the machinery becomes out of date and we can do better by scrapping it, we ought not to hesitate even to do that. That is the way civilization has progressed; that is the way improvement has come about in every line and in every human activity. We are not performing any service to agriculture if we follow the propaganda that has been, I think deceitfully and wrongfully, spread over the country. The time will come when these "chickens will come home to roost"; the time will come when the farmer will find that those who ought to have led him aright have led him astray; the time will come when the American Farm Bureau Federation will realize that its representative now in Washington is misleading them, is leading them astray in trying to convince them of the truth of something as to which he ought to know better and does know better. I shall have something further to say on that subject as I progress.

Now, Mr. President, I am going to read to the Senate some testimony. I wish the Senator from Ohio [Mr. WILLIS], who has introduced as a substitute for the pending joint resolution a bill proposing to turn over this plant to the Cyanamid Co., had honored me to-day with his presence. I should like to place before him the testimony of some of his own witnesses. I wish to read to him and to the Senate the testimony of the very men who are interested in the Cyanamid Co.'s proposal, the men and their associates who are backing it—high-class men, as I think they are. However, here is their testimony. The bill introduced by the Senator from Ohio provides for giving over nitrate plant No. 2 and all the power there and nearly everywhere else on the Tennessee River to the Cyanamid Co. and to the Air Nitrates Corporation. So on this proposition those two corporations are one and the same.

J. O. Hammitt is vice president of the Air Nitrates Corporation and is the representative of the American Cyanamid Co. In the hearing on Muscle Shoals before the House Committee on Military Affairs of the Sixty-seventh Congress, second session, Mr. Hammitt testified, and I will read a part of his testimony:

Mr. HAMMITT. At the present time we would not make any offer, because we do not believe—

He is speaking of Muscle Shoals and nitrate plant No. 2—

we do not believe it is practicable to have a commercial operation of that nitrate plant at the present time unless the United States Government will make up the losses by providing a subsidy.

That is the testimony of the vice president of one of these companies that are now trying to get nitrate plant No. 2 at Muscle Shoals. I will demonstrate to Senators later on that their bid involves a subsidy that, if accepted, would be the greatest gift ever bestowed on man since God made salvation free. I will convince them, I think, that this representative—telling the truth, as I have no doubt it was the truth as he believed it—has practically stated in his testimony that his company would not bid for nitrate plant No. 2 unless the Government should make up the losses by a subsidy; in other words, demonstrating what I have so weakly but earnestly tried to convince the Senate and the country of, that no man can take plant No. 2 and make fertilizer there at a profit of 8 per cent and sell it upon the market below the market price as it goes from day to day, from month to month, and from year to year.

Here is a confession from the vice president of the company that they could not operate the plant unless the Government should subsidize them. Here is another part of his testimony. Mr. Hammett says in answer to a question asked by Congressman GREEN of Iowa:

I do not believe, frankly, that the United States Congress is ever going to approve the principle of the Government dipping down into the Treasury to support a manufacturing operation; and I do not want, personally, to see the American Cyanamid Co. or the Air Nitrates Corporation put in the position of competing for that kind of subsidy. * * *

* * * This is not a nitrate-plant proposition; this is a water-power proposition, and this nitrate-plant end of it is nothing except what somebody offers for the purpose of attracting a certain support in order to enable him to get a cheap water-power contract.

That is the testimony of the vice president of one of these corporations that, if the Senator from Ohio succeeds in passing his bill, are going to get this property at Muscle Shoals. He is only telling what you have been told many times by a weaker voice, but he has spoken before that committee; that is his testimony.

Mr. BLACK. Mr. President, was the last statement made by Mr. GREEN?

Mr. NORRIS. No; that was made by Mr. Hammitt.

Mr. BLACK. Will the Senator read the last statement again?

Mr. NORRIS. Very well, I will read it again.

Mr. BLACK. I understood the Senator to say the statement was by Congressman GREEN. That is the reason for my making the request.

Mr. NORRIS. No; I said that the statement was made in answer to a question by Congressman GREEN. What portion does the Senator wish me to read?

Mr. BLACK. I understood what the Senator read about "dipping down into the Treasury" was in a statement by Mr. GREEN.

Mr. NORRIS. No.

Mr. BLACK. That was what I understood.

Mr. LA FOLLETTE. Mr. President, it is utterly impossible to understand the conversation between the Senator from Alabama and the Senator from Nebraska.

Mr. NORRIS. The Senator from Alabama has misunderstood something I have read, and I am trying to find out just what he wants me to read again. I will have to go over it all, and this time I will read the question.

Mr. GREEN—

That is Congressman GREEN, I understand.

And you stand, admittedly, as a dog in the manger?

There is a part of the testimony omitted, and then comes the answer of Mr. Hammitt to I presume another question.

Mr. HAMMITT. Congressman, I do not believe, frankly, that the United States Congress is ever going to approve the principle of the Government dipping down into the Treasury to support a manufacturing operation; and I do not want, personally, to see the American Cyanamid Co., or the Air Nitrates Corporation put in the position of competing for that kind of subsidy. * * *

* * * This is not a nitrate plant proposition; this is a water-power proposition, and this nitrate plant end of it is nothing except what somebody offers for the purpose of attracting a certain support in order to enable him to get a cheap water-power contract.

In other words, that means this is nothing in the world but an effort to deceive the farmer and get his support to help put the scheme through Congress in order that the beneficiary may obtain some cheap water power for manufacturing purposes.

Later on the same Mr. Hammitt says:

Here is what I would do in regard to nitrate property, or what I would advise the United States Government it should do. I would keep that nitrate plant unoperated, in a stand-by condition, which is 100 per cent better preparedness, anyway, than putting it in operation.

Much has been said by Mr. Gray, the representative of the Farm Bureau Federation against the proposition we have before us. He says that will result in the cyanamide plant standing idle. It will. It is now in a stand-by condition and it is not

operated, and Mr. Hammitt, the vice president of the Air Nitrates Corporation, telling what he would do, says:

Which—

That is, allowing it to remain idle—

is 100 per cent better preparedness, anyway, than putting it in operation. * * * The plant can not be operated commercially, Congressman, because it is not capable of making anything that has a market on which you could get back the cost of production.

Mr. GREEN. You are speaking of the nitrate plant?

Mr. HAMMITT. I am speaking of the nitrate plant; yes, sir. It is not capable of being operated on a basis that would carry any overhead. It is simply not a practicable commercial proposition.

Mr. Hammitt further says:

We see no way, without aid of the Government Treasury, that any company can afford to undertake at the present time the operation of that nitrate plant, and we will not ask aid out of the Government Treasury. Mr. Ford will not lose money on his proposition if it be accepted and sustained in the courts, in my opinion, because the losses will be borne by the United States Government through its contributions to the cost of the large and important blocks of power that Mr. Ford will receive; and it is entirely conceivable that by financing a valuable thing like a water power for an individual or a corporation you can make up to it enough of a premium to justify it in operating a manufacturing plant at a loss, and that really is the essence of the Ford proposal.

I ought to have said that all of this testimony was given when Ford's offer was before us, when these people who are now trying to get it themselves for a much more wicked proposition than Ford had, in my judgment, were contending and telling why this was an impossibility under the Ford proposition. Now their chickens are coming home to roost.

It is not a fertilizer proposition primarily, but it is a means of obtaining at the expense of the Government Treasury a very cheap water power.

Again he says:

In the first place, this plant—

Nitrate plant No. 2, he means—

is designed for the manufacture of ammonium nitrate. Ammonium nitrate is not a fertilizer material. It is not practicable as a fertilizer material. * * * As it stands to-day, the plant can not make any material that is used in the fertilizer industry.

That is true. Everybody knows that. We have to add a lot of machinery before we can make fertilizer out of it, and I have been trying to find out how much it would cost. I have asked several people. I asked Doctor Howe, for instance, some of whose testimony I have read. I asked Doctor Cottrell, and this morning I asked Mr. Bell the same question. No two of them agree. They all agree that it would cost a good deal of money. They likewise all agree that if we are going to use nitrate plant No. 2 we would have to spend considerable money on that to get it up to date even in the cyanamide business; so this man told the truth when he was talking about Ford's offer.

As it stands to-day, the plant can not make any material that is used in the fertilizer industry.

That is true to-day. Mr. Bell thought that to make the cyanamide plant up to date as a cyanamide plant would cost about $2,000,000, and he said that the other machinery necessary to install to run it to its capacity of about 40,000 tons a year would cost $35,000,000. That is three times as much as it would cost to build a synthetic-ammonia plant that would produce the same amount of nitrogen at one-sixth of the power that is required for nitrate plant No. 2.

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

Mr. NORRIS. Yes.

Mr. TYSON. I should like to ask the Senator what amount of power it is estimated would be required if nitrates for explosives were made during war in plant No. 2?

Mr. NORRIS. Nearly 100,000 horsepower.

Mr. TYSON. In other words, if that plant were to be kept there for that purpose, 100,000 horsepower would be required to make nitrates for use in time of war?

Mr. NORRIS. It would probably be somewhat under that. I do not know how much power the additional machinery that would have to be put in to make fertilizer would take, but it is estimated that when it is all in it would take 100,000 horsepower to operate it.

Mr. TYSON. I am assuming now that no fertilizer is made, but that it is used only for making explosives.

Mr. NORRIS. Yes; that is what I am trying to answer. It would be something less; between 80,000 and 100,000 horsepower, I should say.

Mr. TYSON. How much nitrate would be fixed in the course of a year if it were run to full capacity?

Mr. NORRIS. Forty thousand tons.

Mr. TYSON. That is what I understood.

Mr. NORRIS. Now I will finish reading Mr. Hammitt's testimony:

As it stands to-day, the plant can not make any material that is used in the fertilizer industry. * * * You can make that cyanamide of the Muscle Shoals plant into a fertilizer, cyanamide, by a relatively minor process of further manufacture, for which you must provide a plant that is not there now.

That is what I have been trying to tell the Senate.

That is not an operation that could practicably be initiated at Muscle Shoals for the use of that nitrate plant and show anything except a heavy loss. * * * In order to manufacture sulphate of ammonia at the Muscle Shoals plant you use a certain part of the existing plant; * * * it is quite obvious you can not make that at a profit.

Mr. President, the testimony of this man, the vice president of the Air Nitrates Corporation, was given several years ago when the Ford offer was here, which he was opposing and which he was fighting. I think every word of that testimony is true, but it applies 100 per cent now to this same man.

Now, I want to read some further testimony from Mr. Hammitt during the second session of the Sixty-seventh Congress at the hearings before the Senate Committee on Agriculture and Forestry on Senate bill 3420:

Neither we nor anyone else has made an offer to the Government for taking over and operating nitrate plant No. 2 without attaching to that offer some condition in the form of compensation for doing that thing. * * * Now if you cut the power end of his (Mr. Ford's) proposition out, he has no interest whatever in the nitrate plant. The reason he has no interest in it is the same reason that at the present time we are not prepared to make a proposal to the Government for its operation; namely, that you can not make anything at that nitrate plant now, even with cheap power, for which you could get more than approximately two-thirds of what it would cost you to make it. In other words, the operation of the nitrate plant in time of peace must be a losing operation. Mr. Ford, however, under his proposal, would receive from the United States compensation which he evidently considers is sufficient to make up all of his losses on the operation of the nitrate plant and still some more.

Further on, Mr. Hammitt testifies:

Now, as to the value of the United States nitrate plant No. 2, Senator, with a condition attached to it that that nitrate plant must be used in its present condition, I should say that it would have no value whatever, because you can not use that plant in its present condition, or with any modifications that would materially alter the character of the plant, for the production of anything the production of which at that plant would net you otherwise than a loss.

That is Mr. Hammitt, first before the House committee, next before the Senate committee.

Mr. GEORGE. Mr. President, will the Senator permit an interruption?

Mr. NORRIS. Yes, sir.

Mr. GEORGE. The Senator has studied the several bids made by private companies for Muscle Shoals. I desire to ask the Senator if any one of these bidders has offered to make more fertilizer, or offered to make more advantageous terms upon the fertilizing material proposed to be produced, than Mr. Ford himself did?

Mr. NORRIS. I do not think so.

Mr. GEORGE. In other words, the Ford offer, so far as the making of fertilizer is concerned, and so far as the terms upon which it was to be sold are concerned, is as good as or better than any of these others?

Mr. NORRIS. In my judgment it is, Mr. President. The Ford offer—to which, as the Senator knows, I was bitterly opposed—was, as I think Mr. Hammitt truthfully states, coupled up with the power proposition, just as this Cyanamid bid is; but here, in reality, is the difference:

The Ford proposition required the Government to build Dam No. 3; and, outside of the finishing of Dam No. 2—it was not finished at that time—that, in a general way, was practically the extent of the expenditures to which the Government would have to go under the Ford bid. The Cyanamid bid, as I will show here, not only requires all of that, but it requires the Government to build Cove Creek Dam. It requires the Government to add 30,000 horsepower to the steam plant. It

requires the Government to build transmission lines. In addition to that, it requires favorable consideration of applications for three more power sites that must be given to it by the Federal Power Commission, instead of taking their chances, as everybody else must take them, in getting from the Federal Power Commission the right to build dams. So it has much more power in it than Ford's proposition had, because the leasing of money, if you put it on a leasing basis, is practically the same. I have forgotten what it was in Ford's proposal; I had it all figured out at that time; but under the Cyanamid and Air Nitrates plant bid, if you figure up everything they pay and the amount that the Government expends, you will find that they are doing business on Government money at 2.6 per cent per annum. That is the way it was figured out by an expert.

Here is the testimony of Mr. Bell, the president of the American Cyanamid Co., when he was testifying before the joint committee last year:

Representative JAMES asked this question:

Just one question before we finish. The so-called distribution-of-power provision is section G, on page 45; is it not? * * *

Mr. BELL. You see, Mr. JAMES, that does not require us to distribute a single kilowatt. I do not want to deceive anybody about that.

So here is another point that I have already told the Senate—admitted by Mr. Bell himself—that under the bill of the Senator from Ohio the Cyanamid Co. are under no obligation to distribute a single kilowatt of electricity. They can keep it all; they can sell it all; they can do what they please with it. It is theirs, and there is no regulation or anything else about it. In that respect it is just like the Ford bill, although I think Mr. Ford said, outside of the bid, that if he got it he was going to distribute a good deal of the power. Mr. Bell, however, reminds the committee honestly—and I commend him for what he said; he was honest with the committee—

You see, Mr. JAMES, that does not require us to distribute a single kilowatt. I do not want to deceive anybody about that.

That is the notice to us, now, honestly given, like an honorable man, which I think he is. If he gets it, he says, "I am under no obligation to distribute a single kilowatt." He does not say what he would do with it.

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

Mr. NORRIS. Yes.

Mr. TYSON. I wish to ask the Senator if he understands that that applies also to the power which is generated or supposed to be generated at Cove Creek?

Mr. NORRIS. Yes.

Mr. TYSON. And the other three dams?

Mr. NORRIS. Yes. Before I get through I will read the provision of the bill as to those other three dams. As I remember it, there is nowhere, even indirectly, any limit as to what they can do.

Now, I want to read from the testimony of Mr. Washburn. I think, at the time this testimony was given, he was the president of the Cyanamid Co. He was an official of the company, and I think he was the president. I thought I had something here that stated what position he held, but I have mislaid it if I had it.

This was before the Senate Committee on Agriculture and Forestry, in opposition to the so-called Kahn-Wadsworth Muscle Shoals bill, Senate bill 3390, Sixty-second Congress, second session.

Senators, at least members of the Committee on Agriculture, will remember that Senator Wadsworth in the Senate and Mr. Kahn in the House introduced similar bills, I think identical bills, as I remember it now, for the purpose of disposing of this property. Mr. Washburn testified in opposition to that bill. I have considerable of his testimony, but I am not going to burden the Senate with very much of it. Here is part of the testimony:

One of the things is that the Government may be permitted to produce cyanamide fertilizer. They do not expect to do it, they say, but they can do it. This the Government can not do.

Remember, these people were going to operate nitrate plant No. 2 down there, and he is telling why they can not do it. They say they are going to use that plant No. 2 to produce fertilizer. He makes the broad statement that they can not do it, that even the Government dare not do it, and he is going to tell why. He said:

They do not expect to do it, they say, but they can do it. This the Government can not do. The rights of the Government for manufacturing at Muscle Shoals are only the rights delegated to it by the American Cyanamid Co. The patents under which rights are given are specifically set forth in the agreement with the Government and do not include the patents covering either the manufacture or the use of cyanamide fertilizer.

The CHAIRMAN. When you say "this they can not do," what do you mean by it?

Mr. WASHBURN. I mean that they can not do it in the same sense that no private party could build a plant or take an old one and proceed to make cyanamide fertilizer. They have not the patent rights, and it was never intended that they should have them. Those patent rights are our means of protection and perfectly proper means. That plant was not built to make cyanamide fertilizer; it was built to make explosives.

Suppose, as some have asked me to propose to do, we had passed legislation that the Government should operate nitrate plant No. 2. What would be the first thing we would be up against? The Cyanamid Co., which everybody concedes owns the patents says, as Mr. Washburn says here, "You are estopped from making fertilizer. We own the patents. We have given you the right, in nitrate plant No. 2, to make explosives, but that is an entirely different thing." It is somewhat of a different thing. We must have different machinery, in addition to what is there now. "You can not make fertilizer. You infringe our patent rights."

Probably arrangements could be made by paying a royalty or something of the kind to do it, but we have that notice from Mr. Washburn, representing the Cyanamid Co.

Mr. HEFLIN. Mr. President——

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

Mr. NORRIS. I yield.

Mr. HEFLIN. Mr. Washburn, the Senator will remember, contradicted himself. He first said, "You could make it there," then later he said, "You could not." But if the American Cyanamid Co. should get the Muscle Shoals project, having the patents, they can make fertilizer, because they are making it now.

Mr. NORRIS. I am not claiming that if we passed the bill introduced by the Senator from Ohio the Cyanamid Co. would get the whole thing. Of course, they could make fertilizer. They have the patents. But I am offering this testimony to meet the statement that Congress should pass a resolution compelling the Secretary of Agriculture to operate plant No. 2 and let us see what it would do for two or three years' time. We are squarely up against a patent right if we undertake that kind of a proposition.

Further on Mr. Washburn says:

The Government acknowledges the ownership of the patents by the American Cyanamid Co., and that company licenses the operation of the plants, under specific patents indicated by number, date, and title. The company's patents covering the manufacture and use of cyanamide fertilizer, phosphoric acid or any of its processes, including the electric-furnace phosphate process and ammonium phosphate, are not included in those for which rights are given.

Later on, the chairman asked a question:

The CHAIRMAN. Does the Cyanamid Co. produce a sufficient amount now, at the present time, to supply the needs for fertilizer?

Mr. WASHBURN. Just about, so far as cyanamide is concerned.

Later on, Mr. Washburn made another statement, and I wish Senator would listen to this statement of the man who was then president of the Cyanamid Co.:

Mr. WASHBURN. The farmers are of the impression that the Muscle Shoals plant is a fertilizer plant. You know, it is always spoken of as that. They say there is a shortage of fertilizer, and they come to you gentlemen, and they use their influence, and quite properly, and say, "Please start up the Muscle Shoals plant and aid agriculture." A perfectly sound argument, if the facts were there to support it. So far as the farmer knows, the facts are there.

Further on, Mr. Washburn said:

The cost of your water power down there is going to be somewhere in the neighborhood of $20 or $25 per horsepower a year.

Senator RANSDELL. Would that be prohibitive?

Mr. WASHBURN. Absolutely.

I submit, Senators, that this testimony of the very men who are trying to get this plant substantiates what I have said, every word, in every detail.

Mr. Washburn said later on:

Senator, I would like to disabuse your mind of the idea, and the committee, of course, that that plant must be used in order to preserve it.

That is what the American Farm Bureau Federation head says in his letter in regard to my proposition, that we have to use it to keep it, that we must not keep it in a stand-by condition, that we must use it.

Mr. FLETCHER. Will not the Senator tell us about when this testimony was given?

Mr. NORRIS. I think I did state that.

Mr. FLETCHER. I was not in the Chamber when the Senator stated it.

Mr. NORRIS. This was before the Committee on Agriculture and Forestry, Sixty-second Congress, second session, I think it was on April 8, 1920. If the Senator did not hear what I said at the beginning, Mr. Washburn then was speaking in opposition to a bill pending before the committee, introduced by Senator Wadsworth, of New York.

On February 9, 1916, Mr. Washburn, the then president of the American Cyanamid Co., appeared before the House Committee on Agriculture and discussed the fertilizer question. This is reported in the hearings before the House Committee on Agriculture, Sixty-fourth Congress, first session. He said:

> We feel warranted in the belief that if the nitrogen industry is to be established in the United States it must be able to secure power by means not yet provided for under our laws and at much lower cost than it can be secured by ordinary commercial methods. There is one agency through which this possibly may be done, namely, by the Federal Government supplying power at a navigation dam built by the Government.

That was before we had this question pending here. It was in 1920 that he gave that testimony as I said. That testimony was given by the men who were then in the management of the Air Nitrates Corporation and the Cyanamid Co., testimony given when they were opposing the Wadsworth bill and the Ford bill, and this last quotation referring to some other bill, pending in the House, I am not sure what bill, but I think it was before we got into the hearing on Muscle Shoals. That was testimony by the men who are now asking that this plant be turned over to them, with the gift of the greatest power facilities generated from navigable streams of the United States, the dams entirely constructed from the funds of the Federal Treasury. Have Senators ever known of anything as great in the way of a subsidy being asked of the Government?

Mr. President, the Cyanamid Co. manufactures a great many things, and I shall put a list of them into the RECORD. As I have counted them up here hastily, there are 52, all kinds of products, using all kinds of power. They made cyanide, for instance, copper sulphate, casehardening compounds, cyanide, copper; cyanide, potassium; cyanide, silver; cyanide, sodium; cyanide, sodium, of another kind; cyanide, zinc; and a lot of other things that I will not attempt to pronounce. They make aquaammonia; ammonia, anhydrous; ammonium chloride; barium chloride; barium carbonate; copper carbonate; cresylic acid; formic acid; lead acetate; potash, caustic; potassium carbonate; quicksilver; soda, caustic, and a lot of other things. They make a fertilizer, ammo-phos. You can fertilize with cyanamide. It has no fertilizer ingredients in it except nitrogen, but, as I said a while ago, the ordinary farmer, or the ordinary person, can not apply it to his crop, because he would kill the crop. If it touches the crop, it burns it up. It is difficult to apply.

They make ammo-phos. That is a fertilizer that has nitrogen and phosphorus in it, and, as they say, at least half of their product is shipped abroad. They have been in that kind of business for years. I will show later that if there is a fertilizer trust they are pretty close to it.

If they are making this fertilizer, and it is a practical fertilizer that the farmer can use, why has not the farmer found it out in all these years? They do not sell any fertilizer to the farmer. They sell to fertilizer dealers and fertilizer manufacturers. If there is a trust, they sell it to the trust. There are those who favor this bill, who have been crying out aloud from the house tops and the mountain tops ever since we have had this question here that there was a fertilizer trust. These people whom they now want to get it are part of the feeders if there is such a trust. I have never claimed there was such a trust, and I do not claim it now.

I ask, Mr. President, that the list of these products manufactured by the American Cyanamid Co. be included at this point in my address, without further reading.

The PRESIDING OFFICER (Mr. BLAINE in the chair). Is there objection?

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

AMERICAN CYANAMID CO.,
535 Fifth Avenue, New York, N. Y.

PRODUCTS

Industrial chemicals, fertilizer materials, and insecticides and fumigants.

INDUSTRIAL CHEMICALS

Aero brand cyanide: For cyaniding gold and silver ores.

"Aerofloat" flotation reagent: A new and highly selective reagent possessing both promoter and frothing properties.

Case hardening compounds: Containing 27 per cent and 43 per cent sodium cyanide, respectively.

Copper sulphate: 98 to 99 per cent, large and small crystals for mining and insecticide uses.

Cyanide, copper: Containing 71 per cent copper.

Cyanide, potassium: Single salt, 94 to 96 per cent.

Cyanide, silver: Containing 80½ per cent silver.

Cyanide, sodium ("Aeroids"): 96 to 98 per cent NaCN, in one-half ounce ball form. For all industrial purposes.

Cyanide, sodium ("Flotation grade"): 120 per cent KCN, for use in flotation operations or any cyaniding process.

Cyanide, zinc: Containing 55 to 55½ per cent zinc.

Dicyandiamid: 99 per cent pure. Source of other guanidines and pharmaceuticals.

Di-Ortho-Tolylguanidine (D. O. T. G.): 99 per cent plus pure. An accelerator of rubber vulcanization.

Diphenylguanidine (D. P. G.): 99 per cent plus pure. An accelerator of rubber vulcanization.

Orthotoluidine: 95 per cent pure.

Pine oil: G. N. S. No. 5 oil. Pure steam distilled. The standard frothing oil.

Potassium prussiate, red: Over 99 per cent pure.

Potassium prussiate, yellow: Over 99 per cent pure.

Sodium prussiate, yellow: Over 99 per cent pure.

Sulphocyanides: Aluminum, ammonium, barium, calcium, lead, mercury, and potassium.

Sulphur: Over 99½ per cent pure, ground.

Thiocarbanalide: Technical grade for rubber accelerator and flotation uses.

Xanthate: "Rusco" brand potassium and sodium, for flotation.

Zinc dust: "Asarco" brand. High metallic for industrial uses and high efficiency for mining requirements.

Zinc sheets: Metallic content, 98 per cent plus. Standard for mining requirements.

Zinc sulphate: "Asarco" brand, containing 35 per cent zinc.

OTHER INDUSTRIAL CHEMICALS

Ammonia, aqua, ammonia, anhydrous; ammonium chloride; barium chloride; barium carbonate; blanc fixe; copper carbonate; cresylic acid; formic acid; lead acetate; potash, caustic; potassium carbonate; quicksilver; soda, caustic; sodium carbonate; sodium bicarbonate; sodium silicate; sodium sulphide; sulphuric acid; thiourea; and urea.

FERTILIZER MATERIALS

Ammo-Phos: A high-analysis material offered in two grades—13 per cent NH_3 and 48 per cent available P_2O_5; 20 per cent NH_3 and 20 per cent available P_2O_5.

Aero brand cyanamide: 25 to 28 per cent ammonia.

Phosphate rock: Florida land pebble.

INSECTICIDES AND FUMIGANTS

"Cyanogas" calcium cyanide: for fruit-tree dusting and rodent control.

Hydrocyanic acid, liquid: For general fumigation, insecticidal and chemical uses.

S-dusting mixture: For dusting fruit trees.

Our technical department will be glad to cooperate with you in solving problems involving the application of any of our products. All inquiries, which should be directed to our New York office, will receive immediate and careful attention.

Mr. HARRIS. Mr. President, the Senator stated there is no Fertilizer Trust. I suppose that is true, but there is no question about the fact that fertilizer companies have had a lobby here for years.

Mr. NORRIS. Yes; I think so. I am not denying it. If it is claimed there is a Fertilizer Trust, I will just admit it for the sake of argument.

Mr. HEFLIN. I can refresh the Senator's recollection. I call attention to the report made by the Federal Trade Commission about two years ago that we did have a Fertilizer Trust.

Mr. NORRIS. That report was made in response to a resolution introduced by me. I mentioned it yesterday. Their report said we do not have a Fertilizer Trust, as a matter of fact. That is my reading of the report. I have read it and I think,

notwithstanding that conclusion, that there are a good many elements of trust involved in it.

Mr. HEFLIN. My recollection of the report is that they charged that they did have a combination in restraint of trade.

Mr. NORRIS. I have always gone on the theory that there was a contention about it and I have never tried to find out definitely because, to my mind, for the purposes of the legislation which I was trying to have enacted or defeated, either one, it was immaterial whether there was a trust or not. I wanted to make fertilizer cheaper. I did not care whether there was a trust or whether there was not. We had a great abundance of testimony before the Committee on Agriculture and Forestry from representatives of the so-called Fertilizer Trust. They all denied it. But fertilizer was costing too much to the farmer. I have always been convinced of that. Whether anybody was making too much money out of it may be another question.

Mr. McKELLAR. Mr. President, I know the Senator has examined not only into this question but all kindred questions. Can he tell us whether the various fertilizer companies sell at substantially the same price?

Mr. NORRIS. I think they do.

Mr. McKELLAR. Or is there competition?

Mr. NORRIS. I think the reports show that in some lines there was competition, but the Attorney General charged that there was a Fertilizer Trust. I am going to refer to that at a later time, and I think I shall place in the RECORD a copy of his petition, because I have it here. He went into court and made that charge. I do not think it was ever shown in court. I do not know what happened to the case. I do not think it was ever tried.

Mr. HARRIS. May I remind the Senator that the Federal court at Baltimore indicted a number of fertilizer representatives two years ago. It was done on complaints from farmers of Georgia and North Carolina, which were brought to the attention of the Attorney General by myself. It was found that they had agreed as to price in violation of the law. Those men were fined $98,000. Behind closed doors in Baltimore they fixed the price and kept up that price.

Mr. NORRIS. I am glad to learn that, because I am going to offer some evidence which will connect the Cyanamid people up pretty close to these very places, and when I do so I shall expect the Senator from Alabama, instead of supporting the Cyanamid Co. to turn violently against it.

Mr. McKELLAR. If all those various companies have fixed their prices, that is one of the elements which we generally conceive to be an element of a trust, is it not?

Mr. NORRIS. Yes; I think so.

Mr. GEORGE. Mr. President, if the Senator from Nebraska will permit me——

Mr. NORRIS. I yield.

Mr. GEORGE. The fertilizer people were not prosecuted as a trust. I think they were simply prosecuted for entering into an agreement in restraint of trade, inasmuch as they had reached an agreement fixing prices and all had abided by the prices. That was in 1926. The prices in 1927 fell considerably. There was the very sharpest kind of competition. The prices now have been advanced to where they were in 1926, and the prices of all the leading manufacturers of fertilizer are substantially uniform, varying only a small fraction indicated by most of the fertilizer companies in cents rather than dollars per ton.

Mr. McKELLAR. That is another suggestion that there might be a trust, is it not?

Mr. GEORGE. Not a trust so far as I know, but the prosecution was because of an agreement in restraint of trade on the theory that they were independent operators and had made an agreement in restraint of trade, which, of course, would have all the effects of a trust. That was in 1926. In 1927 the prices of commercial fertilizer fell and plunged downward, to the very great relief of the farmers, but in 1928 the price is back where it was or substantially where it was in 1926, and the price is just as uniform now as it was in 1926.

Mr. NORRIS. I thank the Senator.

Mr. BLEASE. Is it not a further fact that they make the farmer pay cash?

Mr. GEORGE. That is quite true, as the Senator from South Carolina has pointed out. Of course they do not compel the farmer to pay cash, but the difference between the cash price and the time price is so great that it is exorbitant.

Mr. NORRIS. I was told to-day that the difference between the cash price and the time price is $20 a ton. I wonder if that is right.

Mr. GEORGE. It ranges from something like $8 to $10 a ton. It depends, however, on the price of fertilizer, but upon a fertilizer retailing for $30 a ton the credit price would be something like $38 to $40 a ton, so that, practically, the farmer has been compelled to pay cash.

Mr. NORRIS. Now, I am coming back again to the question of the propaganda, which I am going to discuss at a later time. At the present time I want to take up for a few moments the bid of the American Cyanamid Co. When I speak of the Cyanamid Co. I mean, of course, the bid of the Air Nitrates Co. and the American Cyanamid Co., because they have a joint bid.

The bill of the Senator from Ohio [Mr. WILLIS] would accept that bid. That is what his bill provides. I want to analyze that bid somewhat and show what it would cost the Government to accept it.

The bid of the American Cyanamid Co. covers property now owned by the Government which costs $125,104,000. In addition to this, it proposes to lease the property, which is to be built by the United States, at an estimated cost of $77,300,000, making in the aggregate the leasing of property owned by the Government which cost the Government over $200,000,000. Of this total, $133,000,000 represents power properties, exclusive of locks. Of this amount, approximately $56,000,000 represents power property now owned by the Government.

Total power lease. The power project when completed will have an installation of 1,220,000 horsepower. I have been severely criticized for using these figures. I have gone over them again. I will read later on some of the criticisms. I think that my figures are approximately right, but when I went over the figures again I got 1,174,000 horsepower. So that at least I am well over 1,000,000. That is the installed horsepower which is going to be turned over to these bidders, and it does not include three other dams which they get a special right to bid for and build at their own expense.

That is the property which will be owned by the Government and leased if the Willis bill is passed—over 1,000,000 installed horsepower. That does not mean there is 1,000,000 primary horsepower there, but it means that the installation provides for that. There will be times when that can not all be operated.

This horsepower will amount to more than one-half of the total hydroelectric power now installed in the six Southern States of Alabama, Georgia, North Carolina, South Carolina, Tennessee, and Kentucky, and will mean an average annual output of power equal to 80 per cent of the total electric energy, steam and hydro, produced in these six States in 1926.

Now, we are getting at the magnitude of the proposition and what it is proposed to turn over to the lessees. By this bid the impression is conveyed that the lessee will pay the Government 4 per cent interest on its investment. This claim is continually made by those who are advocating the acceptance of the bid. It is made all over the United States through this representative in Washington of the American Farm Bureau Federation. The claim is untrue. It is misleading, because only nominal payments are made during the first six years, and interest is paid on only a part of the estimated future investments of the Government. It will be found upon figuring it out that the total of all payments made for interest, maintenance, and alleged amortization, which the lessee makes to the Government during the period of the lease, is only 2.6 per cent upon the investment of the United States in power property. This computation excludes all locks and navigation facilities. No interest whatever is paid by the lessee for the nitrate property which cost the Government, in round numbers, $69,000,000.

Now, let us see what the lessee puts into this business. The Cyanamid Co.'s investment in power property is limited to the cost of installing 80,000 additional horsepower equipment in the Sheffield steam plant. This is estimated to cost $5,400,000. That is everything that the lessee does invest that it does not get back.

Lessee's investment in fertilizer facilities: The lessee's investment in new nitrate plant and equipment will depend upon its ability to sell, at a profit of 8 per cent, the nitrates produced. It is obligated under its bid to install equipment sufficient to produce fertilizer with a fixed nitrogen content of 10,000 tons. Any further obligation in this direction depends upon its ability to sell at a profit of 8 per cent the entire output of 10,000 tons.

It is allowed to charge, in the cost of fertilizer, every item of cost connected with the construction and operation of the nitrate properties, including each year 10 per cent of its own investment in new plants. This is an amortization fee which the purchaser of fertilizer will be compelled to pay; so, in the end, the farmer will pay the entire cost of the fertilizer investment.

Now, I want the Senate to think of that for a moment. This is in the bill which the Senator from Ohio [Mr. WILLIS] would like to see enacted into law; it is in the bill that is advocated here and elsewhere by the Washington representative of the American Farm Bureau Federation, taking advantage of his

position and sending out to the farmers all over the United States misleading and often untrue information as to what this measure really is. Every dollar the company invests in fertilizer machinery is added to the cost of fertilizer—one-tenth of it every year—so that at the end of 10 years the farmers of the country, who have been urged by this farm representative to push on this move to acquire this great power, would pay back to this corporation every cent that it invested in fertilizer machinery.

Now, as to the lessee's profit.

It is estimated by Mr. Merrill, executive secretary of the Federal Power Commission, that the annual profit, with the plants under full operation, would be in excess of $7,000,000 on an investment of the lessee in power properties of only $5,400,000.

That is a pretty good thing. There are not many men but would like to have that kind of an opportunity. That is the estimate—it has to be, to some extent, an estimate, I concede—made by Mr. Merrill, whom everybody here knows. Nobody will charge Mr. Merrill with being friendly or particularly friendly at any rate, to the idea that I have advocated in regard to Muscle Shoals. He is not a Government-ownership man who is misled by bolshevik propaganda; he is one of our sound business men; he is one of the men that even all standpatters look up to. I also look up to him; I have great confidence in him. While I do not agree with him in a great many things, I concede the honesty and conscientiousness of his position; and everybody, I think, concedes his ability, that he is an expert on this proposition. Those are his figures, not mine.

The lessee is subject to no regulation whatever for surplus power. It is very likely the intention of the lessee to use all the power in excess of fertilizer requirements in electrochemical or other industrial processes owned by the Cyanamid Co. or by its allies or subsidiaries. The lessee has the sole power of disposition, and in making use or other disposal of the power it will be subject to no regulation whatever.

It will be remembered that I read the testimony of one of the officials of the Cyanamid Co. who said, in answer to a question of Representative JAMES, "I do not want to practice any deception; you will notice that there is no restraint whatever on us in the use of this power."

I will enumerate the total capital expenses of the Government. Under this bid the Government of the United States would be required to install additional equipment—machinery—at No. 2, so as to bring the capacity of the dam to approximately 600,000 installed horsepower. The Government would also be required to construct Dam No. 3, which would have installed horsepower of approximately 250,000. The Government would also be required to construct a transmission line between Dam No. 3 and Dam No. 2 of 250,000 horsepower capacity. The Government would also be required to build a dam 225 feet in height at Cove Creek, with an installed power capacity of 200,000 horsepower. It would be required also to construct a transmission line connecting Cove Creek with the power house at Dam No. 2. The estimated cost of the properties thus to be built at the expense of the Government of the United States—and this estimate is made by Mr. Merrill, executive secretary of the Power Commission—are itemized as follows:

Additions to Dam No. 2, $8,285,000; dam and power house No. 3 (exclusive of locks), $34,650,000; transmission line No. 2 to No. 3, $225,000; Cove Creek Dam and power house (without locks), $38,140,000; transmission line Cove Creek to No. 2, $6,000,000; making a total of $77,300,000.

It is proposed not only to turn over property that we have now that has cost us more than $125,000,000 but to include investments in other property which we also turn over to the amount of $77,300,000 from the Federal Treasury.

Mr. McKELLAR. What does the Government get out of that?

Mr. NORRIS. Under the Willis bill it gets interest on the payments it has made amounting to 2.6 per cent annually.

The total property investment of the United States would therefore be as follows:

Nitrate plant No. 1, $12,888,000; nitrate plant No. 2, including the steam plant and Waco quarry, $67,555,355.09; Dam No. 2, to present capacity, $43,388,000; New dams at Cove Creek and Dam No. 3 and additions to Dam No. 2, $77,300,000; making a total capital investment on the part of the United States of $202,404,335.09.

Now let us get the total capital investment of the Cyanamid Co. How much are they going to put in? The Government has put in over $200,000,000 for them.

The total capital expense of the Cyanamid Co. of which we can be anywhere near certain is the estimated cost of $5,400,000 for additional steam plant. Assuming, of course, that the Cyanamid Co. will use the cyanamide process for which nitrate plant No. 2 was designed, it will be necessary to build in addition to the existing plants an ammonium phosphate plant and a phosphoric acid plant. An ammonium phosphate plant of a capacity of 48,000 tons of fixed nitrogen is estimated to cost $7,500,000, and for a 10,000-ton unit about $2,000,000. I do not believe, however, if the Cyanamid Co. bid shall be accepted that the company will ever build a plant exceeding 10,000 tons, because it can not be required to build additional plants until it has sold that 10,000 tons at a profit of 8 per cent; but if the nitrate plants are, in fact, extended to permit of the entire 48,000 tons of nitrate, the additional investment required by the cyanamide process would be from $15,000,000 to $18,000,000.

That is the estimate of Mr. Merrill. I ought to say here that in my conversation with Mr. Bell this morning, as I remember it, he said that the company's investment there would be about $35,000,000. I wish to give his estimate as well as that of Mr. Merrill. I wish to call attention, however, to the fact that whether it is big or little all this machinery is added up and charged to the American farmer when he buys the fertilizer. Every year he is to pay one-tenth of the cost, so that in 10 years he will pay it all back. Therefore, it is not very material whether it is a big investment or a little one, so long as it is pushed over on to the shoulders and backs of the hard-working American farmer in whose name it is proposed to put this steal across.

I come now to a comparison of investment between lessee and Government. Out of a total investment in power properties of $139,414,000, the company would have an investment of $5,400,000, or only 3.9 per cent; and of the investment in nitrate properties of from $73,000,000 to $95,000,000, the company would have from $4,000,000 to $26,000,000, dependent upon certain contingencies and the additional nitrate properties it may construct. This would give the Cyanamid Co. an investment of from 5½ to 27½ per cent of the investment made by the Government.

Do we want to go into a partnership of that kind? I expect within a short time to demonstrate and prove every one of the allegations which I have made, and in that connection I am going to read the denial that is made of the figures by Mr. Gray in the propaganda which he sends out.

Now, I wish to speak briefly about the connection of the Cyanamid Co. and the Air Nitrates Corporation with the Power Trust and with the Fertilizer Trust. I have not made any of these charges, and I would not bring out this phase of the situation if it had not been for the apparent interest that Senators have in and the apparent idea that Senators have of the existence of a fertilizer trust. I have no doubt of the existence of a water power trust. So I think it is proper that this question should be discussed.

In the action commenced by the United States against the so-called Fertilizer Trust, entitled "The United States against the American Agricultural Chemical Co. and others," filed in the district court of Maryland December 10, 1926, the Virginia-Carolina Chemical Co. was one of the most important defendants. Remember that name. That was one of the companies alleged by the Government in its suit to constitute a part of this trust.

In the Senate on February 25, 1927, pages 4761 and 4762 of the CONGRESSIONAL RECORD, Senator DENEEN, chairman of the joint committee on the Muscle Shoals proposition, referred to a trustee the Duke estate as being president of the American Cyanamid Co. Now we are connecting them up with Duke.

In Moody's Manual for 1926 in the directors' list for the American Cyanamid Co. is W. S. Lee. Mr. Lee is the engineer brought from South Carolina by the late B. M. Duke to operate the Southern Power Co. It was also shown that Duke was prominent in inception of the American Cyanamid Co.

Following the Fertilizer Trust indictment by the Government the Virginia-Carolina Chemical Co., above referred to as being one of the defendants in the Fertilizer Trust case, was shown to be closely related to the Duke interests, and last year a corporation was announced in the press consisting of Lee, representing the Duke interests, and the du Ponts and the Mellons. Now we are getting home. The Mellons are interested in this corporation. The Mellons are connected with it.

Mr. BLACK. Mr. President, will the Senator yield just there?

Mr. NORRIS. Yes.

Mr. BLACK. After talking with the Senator last week I sent for Mr. Bell, and I asked Mr. Bell if Mr. Mellon or anybody connected with the Aluminum Co. of America or anybody who had ever been connected with Mr. Mellon or the Aluminum Co. of America had any stock or any interest in

his business. He said that they absolutely had not, and that he would be glad to send to the Senator, or to me, or any of us who wanted it, a list of his stockholders and directors.

I am stating that to the Senator because I feel sure that he would want to know that, just as I wanted to know it; and that is the reason why I asked Mr. Bell.

Mr. NORRIS. I am going to offer the evidence. I have some more. I am not making any charges myself.

Mr. BLACK. If it is true, of course I should like to know it myself; I will state that to the Senator; but I asked Mr. Bell, and he stated that he would be glad to send me a list of the stockholders and directors.

Mr. BRUCE. Mr. President——

Mr. NORRIS. Just a moment. Of course, if I were going to prosecute a trust here, or a lot of fellows like this company and others, the Duke interests and the South Carolina trust, the chemical company, and before I did it I sent for them and said, "Here, now, are you a trust?" and they said, "No; we are not a trust," and I said, "All right; that settles it; we will not prosecute you," I would not expect them to admit it. I am going to offer the evidence, and you can draw your own conclusions. I do not know whether they are a trust or not; but I have been led into this trust business by the Senators who have been making the inquiry, and I am going through with it.

Mr. BLACK. If what the Senator said was intended as a reflection on sending for Mr. Bell, if the Senator were supporting a certain bid and believed that it should go through rather than to give this point to the power company—as I believe the Senator's joint resolution would do—if he were supporting another bid and had heard that the Mellon interests were connected with it, would it not be fair and right to send for one of its officers in an effort to ascertain whether or not that was true? That is exactly what I did.

Mr. NORRIS. I am not objecting to it. The Senator must not accuse me of making any objection. I do not care anything about it.

Mr. BLACK. It seems to me that if the question of the person or corporation to whom this property should go is to enter into the matter it would be better to send for a list of the directors and stockholders, so that we may know who they are.

Mr. NORRIS. The Senator can do that if he wants to.

Now I yield to the Senator from Maryland [Mr. BRUCE], who, I believe, desires to introduce a bill or something of the kind.

Mr. HEFLIN. Mr. President, before the Senator does that, is this the situation—that if the matter goes one way the Power Trust will get the plant, and if it goes the other way the Fertilizer Trust will get it?

Mr. NORRIS. That is not the situation. I will show, I think, with the evidence that I am going to offer, that this bidder is connected not only with the Fertilizer Trust but with the Power Trust also.

Mr. BLACK. Mr. President, there is a well-grounded belief where I come from, and the papers that support the power companies substantiate it, that the power companies are now supporting the Government operation bill; and it is my belief that unless an amendment which I have, and which I am going to suggest to the Senator, is added to his joint resolution the Alabama Power Co. will get every kilowatt of power if the Senator's joint resolution goes through.

Mr. NORRIS. Of course the Senator can say that. I do not believe it at all, however. I think I can demonstrate that there is nothing to it. I can not find fault with the Senator, of course, if he believes it.

Mr. BLACK. I have an amendment which I am going to suggest and ask the Senator to accept.

Mr. NORRIS. Oh, yes. I wonder if the amendment is anything like some of these other amendments that are suggested. If the substitute that is going to be offered by the Senator from Kentucky [Mr. SACKETT] is agreed to, or if the amendment that is going to be offered by the Senator from Tennessee [Mr. TYSON] is agreed to, then I shall be willing to concede that the power companies will have the main finger in the pie; and I think to some extent, although not completely, the amendment offered by the Senator from Mississippi [Mr. HARRISON] leads in that direction.

Mr. BLACK. I agree with the Senator.

Mr. NORRIS. But I want to say to the Senator that under the joint resolution as it stands, in my judgment, there is not any possibility of the power companies getting this power unless the people of the South refuse to accept it. If they will not take it, then the power companies will get it; and if the Senator can make that any plainer by an amendment, as far as I am concerned, I stand here ready to accept it.

Mr. BLACK. May I reply to that to this effect:

The law to-day requires that municipalities be given the preference. The city of Muscle Shoals has attempted to have the Secretary of War give it that preference. He has not done it. The Alabama Power Co. to-day is getting every particle of the power that is sold. If with the law existing now the Alabama Power Co. gets all the power, when the preference should be given to these others, why would not the Alabama Power Co. get it in the future?

Here is my amendment. It is a 100 per cent guaranty that no power company will divert that power from the use to which it was intended to be put. Here it is:

I propose, first, to amend the Senator's bill at the end of line 18, page 2, as follows:

Provided, That all contracts for the sale or redistribution of such power to a person, partnership, association, or corporation, for resale by such person, partnership, association, or corporation, shall contain a provision authorizing the Secretary of War to cancel such contract after 30 days' notice in writing, given to such person or corporation.

That is the first paragraph; and I propose that for this reason——

Mr. NORRIS. The Senator is not going to debate his amendment now; is he?

Mr. BLACK. No, sir.

Mr. NORRIS. It is not pending, and the Senator is diverting me from what I was talking about to another subject; but I will yield to him and let him go on and make his speech now.

Mr. BLACK. I do not want to make a speech. I am proposing that only because the Senator referred a while ago to this bill which I am conscientiously supporting as being a "steal"——

Mr. NORRIS. All right; go ahead.

Mr. BLACK. And, in my judgment, the other measure will give the power to the power company.

Provided further, That it is hereby declared to be the express purpose of this resolution to give preference in the purchase of such power to States, counties, municipalities, and thereafter preference to be given to individuals, associations, partnerships, or corporations using such power for their own purposes—

That is the second preference—

and not for resale and distribution; and it shall be the duty of the Secretary of War to recognize such preferential rights, as above set forth. If at any time there should be an application from such preferential persons, partnerships, associations, or corporations, and if it is necessary for the Secretary of War to cancel outstanding contracts with persons or corporations which resell or redistribute such power, in order to supply power to such preferential persons or corporations, it shall be his duty to cancel such contract after 30 days' notice and supply power to such preferential persons or corporations.

It is not the intent or purpose of this resolution to interfere with the regulation of intrastate power rates by the States after such power is sold by the Secretary of War; but, in order that the power sold may reach the consumers at all times without exorbitant profits, the Secretary of War shall cancel any contract made with persons or corporations reselling or redistributing power which sell the same at a net profit of more than 8 per cent.

2½. The power sold by the Secretary of War shall be sold at a rate which will bring net to the Government a maximum of 4 per cent upon the amount of the investment in the property used in the production of the power sold.

In other words, I provide an amendment—I do not want to argue it at all, as I stated—which, in the first place, limits the profit of the Government. It then limits the profit of the distributing company that receives the power. It then provides that in order to give preference to customers who desire to use power themselves, and to municipalities, the power companies who purchase it shall have it only subject to a 30 days' cancellation clause; and at any time any customer wanting it for himself—the farmer that we want to protect, or the small merchant—can send and get it, and then they can cancel the contract with 30 days' cancellation notice.

Mr. NORRIS. Mr. President, it is not my intention to discuss the Senator's amendment now. I do not think the Senator was quite fair in injecting it here in the middle of a proposition that I was advancing and evidence that I was offering about the trust.

Mr. BLACK. I beg the Senator's pardon; I did not intend to interfere with his speech.

Mr. NORRIS. I am only going to say, in passing, that as I listened to the reading of the amendment I am of the opinion that if the Senate adopts it my joint resolution is killed.

Mr. BLACK. May I put it at the end of the Senator's remarks? I do not want to interfere with his speech in any way.

Mr. NORRIS. No; I am discussing the amendment now, so I would rather have it in right here. If I understand it correctly, it will be supported and voted for by those who are opposed—and some, of course, like the Senator, who favor it—but mainly by those who are opposed to the passage of the committee joint resolution. If I am not mistaken from my listening to the reading, if that amendment becomes part of the joint resolution that we pass, and some man running a garage down there wants to get current from the Government, he is entitled to get it, and the Secretary of War will have to supply it to him. He will have to give that man a preference. He will have to present his bills monthly and send his men there to read the meter. If everybody applies for it, he has to go into the business in every locality, every municipality, and supply this farmer or that business man with electricity from Muscle Shoals. He must render his bills and collect them individually from these people.

The Senator does not think for a moment that those who are trying to block any legislation here would support for a moment a joint resolution that means that, if his amendment would do that; and I think it would. If some man living a mile or two out of Florence wrote a letter and said, "I want electricity in my house; get it out here," the Senator's amendment would make it incumbent upon the Secretary of War to sell it to him individually. He might not take 2 kilowatts a month, or more than 20 or 30 kilowatts per month, let us say; but the Secretary of War, with electricity up to a high voltage that he could not put into that man's house, would have to go to the expense of putting in the proper machinery to step it down so that he could run it into that man's house. In other words, the Senator's amendment would put the Secretary of War in the business of retailing electricity to everybody who asked for it within transmission distance of Muscle Shoals. The Senator does not want to do that.

Mr. BLACK. May I state that this is in exactly the form of the Senator's joint resolution, except that I limit it so that the power company can not get the power. I do not think the Senator's joint resolution goes to the extent he has stated at all, and I did not intend to have my amendment do so; and I do not think it does.

Mr. NORRIS. Perhaps it does not. Of course, I have not read it.

Mr. BLACK. I do not offer it as a block, because whether this measure passes or the other, I want to get a measure through that does not turn over the power to the power company, and this will keep it from it.

Mr. NORRIS. My own idea is that that would do it. If it has the effect that I think it would have from listening to it, nobody would get it. The Secretary of War can not go into the retail business of furnishing electricity, and if we should say he should do it, we would stand no show of ever getting such a law through.

There are some things in the Senator's amendment to which I have not any objection, which I should like to see in the law. Some are already in it. I would rather the distributing power companies would get that power than to have nobody get it; but I am opposed to putting in any provision like the pending amendment, which as I remember, provides that a distributing company, a power company like the Alabama Power Co., shall have the same privilege as a municipality—in other words, in effect taking away the preference that is given to a municipality—and that is done on the ground, which I presume is true, that a great many municipalities have sold their municipal distributing plants to the Alabama Power Co., and to some other power companies, that I understand have been very active in paying fabulous prices for them. They have been doing that in Nebraska, too. They have been doing it all over the United States, and they have tied themselves up, so that they can not go into the business.

I do not want to put that city and the city that has held itself aloof and is ready to accept the proposition and to distribute the electricity on an equality. If we do put them on an equality, there is no assurance that any person or any industry anywhere within transmission distance of Muscle Shoals will get a single cent of reduction. We are selling the power now to the Alabama Power Co. from month to month. Has the Senator heard of any place in his great State where the Alabama Power Co. has reduced the price to the consumer?

Mr. BLACK. No; the Senator has not; and that is the reason he does not want to turn the rest of it over to them for 10 years or 50 years.

Mr. NORRIS. That is what the Senator is going to do, I think, if he gets his amendment through. He will fix it so that nobody will take it, and we will get no bill, and the result will be that the Secretary of War will go on doing just what he is doing now; and that is what I do not want to happen.

Mr. McKELLAR. Mr. President, in connection with the question as to who is to get it, as I understood the Senator yesterday, he said that he would be willing to accept an amendment fixing a time limit in which municipalities, States, and counties might accept the provisions of this act. Was I correct in that?

Mr. NORRIS. Yes; I would be in favor of that kind of a proposition, and I would favor this proposition. I have already had printed—probably the Senator has seen it—an amendment providing that if a municipality will come in and take electricity under this resolution they shall have a lease, if they want it, for 25 years instead of 10. I do not know whether that amendment would pass the Senate or not, but I expect to offer it.

Mr. HEFLIN. In that case, who would construct the transmission lines?

Mr. NORRIS. Either party could construct them. If the lease were for 25 years, it is more likely that the municipality would construct it.

Mr. McKELLAR. I may have misunderstood the particular provision of the Senator's measure, but does the joint resolution provide for the authorization of any fund with which to build these transmission lines?

Mr. NORRIS. Yes. I have forgotten now just where the provision is, but I think it can be done under the resolution, either by direct appropriation from Congress or by using the money that is received from the sale of electricity.

Mr. McKELLAR. At any rate, that is the intention of the measure?

Mr. NORRIS. Yes. Now let me go back to where I was when I was interrupted. I regret this digression, because I was right in the midst of something which I thought was interesting, and I took it up because Senators have been asking me about the Power and the Fertilizer Trust, and I was answering their questions. I had just gotten started offering this evidence when, all at once, Senators commenced to rise and question me about something else, about the preference given to a municipality or a private company, about this power company getting all of the current down there, and so on; in other words, diverting attention and taking me away from the thing I was discussing.

Why this sensitiveness about the Power Trust? Why are Senators anxious to prevent me from offering evidence here to show that the Cyanamid Co. is pretty close to both the Power Trust and the Fertilizer Trust? I am not saying that it is. I am going to offer some evidence, and I would like to get a chance to do so. Senators interrupt me and divert my attention to some other line. Are they afraid of the Power Trust or of the Fertilizer Trust?

Mr. McKELLAR. Mr. President, I want to make a disclaimer. I did not intend to divert the Senator. I would be glad to hear the evidence he is speaking of.

Mr. BLACK. Mr. President, may I also state that I am delighted to hear the Senator. It will be a very great pleasure for me to listen to him as he produces all the evidence. I have sat here patiently through all his speech, and I will sit here even if the Senator talks four days, because I am anxious to hear the Senator's remarks. They are illuminating and instructive.

Mr. McKELLAR. The Senator is making a splendid speech, I want to say.

Mr. NORRIS. I hope Senators will not take up any more time in either commendation or criticism, because either one will have the same effect, keeping me from going on with this evidence.

I have forgotten just how much of this I had read.

Following the Fertilizer Trust indictment by the Government the Virginia-Carolina Chemical Co.—

And remember, they are one of the defendants in the Government suit charging a trust in the fertilizer business—

above referred to, as being one of the defendants in the Fertilizer Trust case, is closely related to the Duke interest, and last year a corporation was announced in the press consisting of Lee—

He is the man whom Duke himself brought up from South Carolina to run the Duke Corporation—

representing the Duke interests, and the du Ponts and the Mellons.

I think that is where I stopped. When I mentioned the Mellons, everybody commenced to get interested in trying to shoot me off on some sidetrack. I am surprised at the influence Mellon has over on the other side of the Chamber, anyway. The people who want the Cyanamid Co. to get this ought to listen now to whatever evidence will tend to connect the Mellon interests and the Duke interests and the Virginia-Carolina Chem-

ical Co., which is part of the trust, according to your own estimate and opinion and evidence.

It was a large development of water power in Canada for chemical purposes.

That is what these fellows were doing. This shows that there is at least a friendly relation between the American Cyanamid Co. and the Duke interests and the power interests. In other words, this corporation was announced, in which Lee represented Duke and the du Ponts and the Mellons, and it was a development of water power in Canada for chemical purposes.

I will show now where the American Cyanamid Co. was directly interested, and one of the main spokes in the wheel of this Canadian corporation. When I have done that, I will have connected Cyanamid, the Water Power and Fertilizer Trust, and Mellon all in the same bunch.

I have here an advertisement from the New York Times of April 29, 1926. This is the heading:

Duke-Price Power Co. (Ltd.) first-mortgage 6 per cent sinking fund gold bonds, series A.

Amounting to $37,000,000.

Let us see, now, how they were floating that issue of bonds. They were to mature, according to this advertisement, May 1, 1966. It was just a little over a year ago that all this happened, less than two years ago.

Cumulative sinking fund, begining in 1929, calculated to retire at least half of all series A bonds by maturity.

Who are the trustees of this great company? The first name mentioned is the Union Trust Co. of Pittsburgh. Does that look like Mellon? The Union Trust Co. of Pittsburgh and the National Trust Co. (Ltd.), of Montreal. They are the trustees. Here is what part of this advertisement says:

As a result of negotiations initiated following Mr. Duke's death last year, Aluminum Co. of America—

Does that sound like Mellon?

Aluminum Co. of America interests are acquiring 53⅓ per cent of company's stock and the Shawinigan Water & Power Co. 20 per cent (the remaining 26⅔ per cent being retained by the Duke-Price interests).

And that is part of the Fertilizer Trust.

These new interests are contracting for large amounts of power. A reconstitution of company's capital structure is also being effected, which will result in a capitalization presently to be outstanding of these $37,000,000 bonds and 210,000 shares of capital stock.

More than half of it owned by the Aluminum Co. It tells what the property consists of. Remember, this is an advertisement to sell bonds. I might read all of it, but probably it is not necessary to do so. It tells now what power contracts it has. This is a power company, trying to sell bonds, and Mr. Mellon's bank in Pittsburgh and a bank in Montreal are the trustees, which are going to sell the bonds. In order to make the security attractive to the public, they are giving a statement of the assets of the company, as I have just read part of it. More than half of the stock is going to be purchased by Mr. Mellon's aluminum company.

They also tell in the advertisement the contracts for the sale of power, and that will help to sell the bonds. Here are some of them:

Company has firm contracts for sale of 330,000 horsepower, as follows:

Here is the list:

Aluminum Co. of Canada, 100,000 horsepower.

You might say that is not Mr. Mellon's company. The Aluminum Co. of Canada has contracted to take 100,000 horsepower for 50 years, and right after this name, "Aluminum Co. of Canada," is a little star. Remember, this company is the Aluminum Co. of Canada. This little star refers us to an explanatory note, which says:

All of whose stock is owned and the due performance of whose contract is guaranteed—

By whom? Whom would you think?—

The Aluminum Co. of America.

How do those who want this bid accepted like to be associated with the Aluminum Co. of America? How do they like to be in the same class with Mr. Mellon? It might be all right for me, but I do not see how Senators can live for a moment to be associated with Mellon, the Fertilizer Trust, the Duke trust, the Power Trust, or the Aluminum Trust.

Mr. BLACK. Or the Republican trust.

Mr. NORRIS. I hope the Senator will take the Republican trust with the other trusts and keep it. I do not want it.

Let us see who is going to run this company.

Management: Company's board of directors will include representatives of the Aluminum Co. of America—

Mr. Mellon might favor some of his friends here, I suppose, if we would act right in the Senate—

the Shawinigan Water & Power Co., Price Bros. & Co. (Ltd.), and the Duke estate—

There we get back to the power and the fertilizer all going to be represented in the management of this company—

all of whom have had long and successful experience in management of large industrial and hydroelectric power enterprises.

They have. There is no doubt about that.

Who sells these bonds? Here are several names: First, The Union Trust Co. of Pittsburgh. They can be bought of Mr. Mellon there. But there is another bank of Pittsburgh where they can be purchased and Senators who are particularly in love with Mr. Mellon would rather take this bank, because it shows on its face who owns it—the Mellon National Bank of Pittsburgh. We can buy the bonds there. It may be they have not sold them all yet. It might be that some could be had yet. I presume one could find out at the office of the Secretary of the Treasury whether they have any left or not.

What about the American Cyanamid Co.? It was incorporated under the laws of the State of Maine July 22, 1909; manufactures cyanamide and other things used in mining in the United States and also in many similar districts in Mexico, Canada, and other parts of the world. The manufacture, sale, and use are controlled by patents. It also manufactures other heavy chemicals and mines phosphate rock; plants located at Niagara Falls, Ontario, and Warners, N. J.; capacity of cyanamide plant at Niagara Falls 75,000 tons per annum. In 1916 the Cyanamid Co. acquired the Amalgamated Phosphate Co. with mines at Brewster, Fla.

It controls the Air Nitrates Corporation, which is one of the bidders here. Do Senators begin to see where the American Cyanamid Co. is connected up with the Fertilizer Trust which they allege exists? The Air Nitrates Corporation was formed in 1917 to construct three plants, one at Muscle Shoals on the Tennessee River, one at Cincinnati, and one at Toledo, funds for construction and operation to be furnished by the United States Government. The plant at Muscle Shoals began manufacture October 26, 1918, but all work there and the construction of two plants at Toledo and Cincinnati were discontinued by order of the Government soon after the signing of the armistice.

Here are some of the things it owns: Ferto Chemical Sales Co. (Ltd.), incorporated in Canada June 8, 1925, to buy and sell cyanamide and kindred products under a sales and financing contract with American Cyanamid Co., and designed to develop foreign markets, make foreign connections, and establish foreign agencies. Capital stock, 70,000 no par shares, of which 65,943 shares are distributed to holders of common shares of American Cyanamid Co.

So the American Cyanamid Co. and the Air Nitrates Co. are one and practically the same. Management: W. B. Bell, president. I read his testimony and he told in his testimony, when he was fighting the Ford offer, that nobody could take nitrate plant No. 2 and make fertilizer with it without a loss; that it could not be done; that it was an impossibility. Moreover, one of the other officials testified that they would not even let the Government do it because the Government did not have the patents, which they owned.

J. O. Hammitt is another one of the management, a vice president. I read his testimony, not when he was trying to get Muscle Shoals but when he was trying to prevent Mr. Ford from getting it. He was telling the truth then. He told then that it was perfectly foolish to undertake the operation of nitrate plant No. 2. He ought to know. He is in the chemical business.

W. S. Landis is another vice president. I am coming to him later. He is one of the men whose testimony this man Gray has sent broadcast over the United States. In sending out that testimony he did not tell those to whom he was sending it that he was sending them the testimony of an officer of the very company which was trying to get Muscle Shoals. There is another item of deception which the representative of the American Farm Bureau Federation was perpetrating upon the farmers of America. He sent this testimony out, saying that Landis was an ex-president of the American Chemical Society. He never was a president of the American Chemical

Society, although I concede he is a chemist and a good one. I have not a thing in the world against him. So far as I know he is a fine gentleman, truthful, and everything else, but he is directly interested in this matter, and his testimony has been sent out as that of a disinterested man advising the farmers, to try to create a sentiment in favor of the acceptance of this bid.

Now I come to the history of the Virginia-Carolina Chemical Corporation, a member of the trust as alleged by the Attorney General and half of the Members of the Senate. It was—

incorporated in Virginia March 24, 1926, to acquire property and assets of the Virginia-Carolina Chemical Co. (Inc.) in New Jersey September 12, 1895, which consolidated a number of manufacturers of fertilizers, acids—

If Senators will listen to this they will pretty nearly reach the conclusion that these people are a trust from their own statements—

which consolidated a number of manufacturers of fertilizers, acids, chemicals, and various kindred products.

Owns plants in Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, and Tennessee, in which States it controls a large percentage of business in its line. Owns entire capital stock of Charleston Mining & Manufacturing Co.; latter owning in fee over 68,000 acres of phosphate lands in South Carolina, Tennessee, and Florida, and mineral rights on more than 6,000 acres additional, together with 7 plants for mining, preparing, and shipping phosphate rock, about 64 miles of railroad, 26 locomotives, 890 cars, 15 steam shovels, 13 steam hoisters, etc.; also owns and operates large pyrite mines, producing a large portion of the pyrites used by it in manufacturing sulphuric acid, and in addition has various foreign potash, sulphur, and other properties; controls Sulphur Mining & Railroad Co., Georgia Chemical Works, American Fertilizing Co., and Bryant Fertilizer Co.

That is almost enough to make a pretty fair showing of it being connected with and a part of the trust. It controls fertilizer, practically, in several of the Southern States. It was charged by the Attorney General of the United States with being a part of the Fertilizer Trust. This company is connected with the Duke interests. This company is connected through the Duke interests with the power interests of America. Through the Mellon interests it is connected with the water-power interests even of Canada, as I have shown.

Mr. President, this argument is particularly made for the benefit of those here who believe in the hideousness and the power of the Fertilizer Trust, of the Water Power Trust, of the Chemical Trust, and of the Mellon Trust. We showed as we were going along that these people were connected with the Southern Power Co.

Who is the Southern Power Co.? G. G. Allen is president; B. N. Duke and others are vice presidents, including W. S. Lee. These are the same men. Lee is the man, it will be remembered, whom Mr. Duke brought up here from South Carolina. Then there is A. B. Duke, who is treasurer of the Southern Power Co. On the board of directors we find B. N. Duke, W. C. Parker, W. R. Perkins, G. G. Allen, and a lot of others. So we find them all connected, and Senators can take their choice.

I want to read now a little that may be ancient history, but it is from that cemetery known as the CONGRESSIONAL RECORD, which sometimes has resurrections. I am going to read now from the CONGRESSIONAL RECORD of April 7, 1916, at page 6471.

Mr. CURTIS. Mr. President, may I interrupt the Senator?

Mr. NORRIS. Certainly.

Mr. CURTIS. Does the Senator expect to conclude his speech to-night?

Mr. NORRIS. I can not conclude it to-night. I shall be glad to suspend when I reach a good stopping place.

Mr. CURTIS. It is desired to have an executive session, and if the Senator will yield for that purpose I should like to make the motion at this time.

Mr. NORRIS. Very well; I might as well suspend for the day.

UNANIMOUS-CONSENT AGREEMENT—MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Mr. BRATTON. Mr. President, I rise for the purpose of proposing a unanimous-consent agreement, and that is that when the Senate concludes its routine morning business next Tuesday it shall take up for consideration the bill (S. 700) authorizing the Secretary of the Interior to execute an agreement with Middle Rio Grande Conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes.

Mr. CURTIS. During the morning hour and only until 2 o'clock?

Mr. BRATTON. I prefer not to fix that limitation.

Mr. CURTIS. The unfinished business, of course, would be laid before the Senate at 2 o'clock unless it was temporarily laid aside.

Mr. BRATTON. I think the Senator from Nebraska will agree to do that.

Mr. CURTIS. May I ask the Senator if this is satisfactory to the chairman of the committee, the Senator from North Dakota [Mr. FRAZIER]?

Mr. BRATTON. I have conferred with the Senator from Wisconsin [Mr. LA FOLLETTE], who is interested in the measure.

Mr. CURTIS. Is it satisfactory to him?

Mr. BRATTON. Yes.

Mr. CURTIS. Then I have no objection.

Mr. FESS. May I ask what bill it is to which the Senator refers?

Mr. BRATTON. It is known as the Middle Rio Grande conservancy bill; in New Mexico, a local bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened and (at 5 o'clock and 25 minutes p. m.) the Senate, under the order previously entered, adjourned until Monday, February 27, 1928, at 12 o'clock meridian.

ADDITIONAL PROTOCOL TO PAN AMERICAN SANITARY CONVENTION

In executive session this day, the following protocol was ratified, and, on motion of Mr. BORAH, and by unanimous consent, the injunction of secrecy was removed therefrom:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith an additional protocol signed at Lima on October 17, 1927, to the Pan American Sanitary Convention, signed at Habana on November 14, 1924, to the ratification of which the Senate gave its advice and consent on February 23, 1925.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, February 15, 1928.

The PRESIDENT:

The Pan American Sanitary Convention signed at Habana on November 14, 1924, the ratification of which was advised by the Senate on February 23, 1925, and which was proclaimed on April 28, 1925, contains no provision for denunciation.

This omission has been supplied by the signature at Lima, on October 19, 1927, by duly authorized plenipotentiaries, of an additional protocol, an authenticated copy of which the undersigned, the Secretary of State, has the honor to lay before the President with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approves thereof.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, February 13, 1928.

[Translation]

The Presidents of the Argentine Republic, Bolivia, the United States of Brazil, Colombia, Costa Rica, Cuba, Ecuador, the United States of America, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Uruguay and the United States of Venezuela, desirous of adding to the Sanitary Convention signed at Habana on November 14, 1924, have appointed as their plenipotentiaries, to wit:

Argentine Republic: Dr. Laurentino Olascoaga, Dr. Nicolás Lozano, and Dr. Alfredo Sordelli.

Bolivia: Dr. Adolfo Flores and Dr. Adolfo Durán.

United States of Brazil: Dr. João Pedro de Albuquerque and Dr. Bento Oswaldo Cruz.

Colombia: Dr. Julio Aparicio.

Costa Rica: Dr. Solón Núñez F. and Mr. Jaime G. Bennett.

Cuba: Dr. Fernando Rensoli and Dr. Mario G. Lebredo.

Ecuador: Dr. Luis M. Cueva.

United States of America: Dr. Hugh S. Cumming, Dr. Bolivar J. Lloyd, and Dr. John D. Long.

Guatemala: Mr. Pablo Emilio Guedes.

Haiti: Mr. Víctor Kieffer Marchand and Dr. Guillermo Angulo P. A.

Honduras: Dr. José Jorge Callejas.

Nicaragua: Mr. Julio C. Gastiaburú.

Panama: Dr. José Guillermo Lewis.

Paraguay: Dr. Isidro Ramirez.

Peru: Dr. Carlos Enrique Paz Soldán, Dr. Sebastián Lorente, Dr. Baltazar Caravedo, Dr. Daniel E. Lavorería, and Dr. Julio C. Gastiaburú.

Dominican Republic: Dr. Ramón Baez Soler and Dr. Alejandro Bussalleu.

Uruguay: Dr. Justo F. Gonzalez.

United States of Venezuela: Dr. Emilio Ochoa.

Who, after communicating to one another their full powers and finding them in due form, have agreed to adopt, ad referendum, the following:

ADDITIONAL PROTOCOL APPROVED BY THE CONFERENCE (AD REFERENDUM)

The ratification of the Sanitary Code shall be deposited in the Office of the Secretary of State of the Republic of Cuba and the Cuban Government shall communicate these ratifications to the other signatory States, which communication shall constitute exchange of ratifications. The Convention shall become effective in each of the signatory States on the date of ratification thereof by said State, and shall remain in force without limitation of time, each one of the signatory or adherent States reserving the right to withdraw from the Convention by giving in due form a year's notice in advance to the Government of the Republic of Cuba.

Done and signed in the City of Lima on the nineteenth day of October, nineteen hundred and twenty-seven, in duplicate, one of which shall be sent to the Ministry of Foreign Relations of Peru and the other to the Pan American Sanitary Office, so that copies thereof may be deposited, through the diplomatic channel, to the signatory and adhering Governments.

For the Argentine Republic:

LAURENTINO OLASCOGA.
NICOLÁS LOZANO.
A. SORDELLI.

For Bolivia:

A. FLORES
ADOLFO F. DURÁN.

For the United States of Brazil:

JOÃO PEDRO DE ALBUQUERQUE.
BENTO OSWALDO CRUZ.

For Colombia:

JULIO APARICIO.

For Costa Rica:

SOLÓN NÚÑEZ.
JAIME G. BENNETT.

For Cuba:

D. F. RENSOLI.
Dr. MARIO G. LEBREDO.

For Ecuador:

LUIS M. CUEVA.

For the United States of America:

HUGH S. CUMMING.
BOLIVAR J. LLOYD.
JOHN D. LONG.

For Guatemala:

PABLO EMILIO GUEDES.

For Haiti:

V. KIEFER MARCHAND.
GMO. ANGULO P. A.

For Honduras:

JOSÉ J. CALLEJAS.

For Nicaragua:

J. C. GASTIABURÚ.

For Panama:

JOSÉ G. LEWIS.

For Paraguay:

ISIDRO RAMÍREZ.

Por Peru:

CARLOS ENRIQUE PAZ SOLDÁN.
SEBASTIÁN LORENTE.
BALTAZAR CARAVEDO.
D. E. LAVORERÍA.
J. C. GASTIABURÚ.

For Dominican Republic:

R. BAEZ SOLER.
A. BUSSALLEU.

For Uruguay:

JUSTO F. GONZALEZ.

For the United States of Venezuela:

E. OCHOA.

PROTOCOL TO TREATY WITH THE NETHERLANDS FOR ADVANCEMENT OF GENERAL PEACE

In executive session this day, the following protocol was ratified, and, on motion of Mr. BORAH, and by unanimous consent, the injunction of secrecy was removed therefrom:

To the Senate:

I transmit herewith, with a view to receiving the advice and consent of the Senate to its ratification, a protocol signed February 13, 1928, between the United States and the Netherlands, interpretative of Article I of the treaty concluded between the two countries on December 18, 1913, looking to the advancement of the cause of general peace.

THE WHITE HOUSE,
Washington, February 16, 1928.

FEBRUARY 13, 1928.

The PRESIDENT,
The White House:

It will be recalled that in 1913–14 this Government concluded treaties with several countries looking to the advancement of the cause of general peace. Such a treaty was concluded with the Government of the Netherlands. With minor changes the text for the most part was uniform in all the treaties. The treaty with the Netherlands (Dutch and English text) was signed on December 18, 1913, and the Senate consented to its ratification on August 13, 1914. Article I defines the character of disputes which are the subject of the treaty. After the conclusion of the treaty, in 1917, the Netherlands Government invited the department's attention to a variance between the Dutch and the English texts of Article I.

The English text reads:

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

It will be seen that this article covers "all disputes between them of every nature whatsoever" without specifying the time of origin of such disputes. The Dutch text specifies "all disputes of every nature whatsoever that may arise between them," thus implying that only those disputes arising after the coming into force of the treaty are contemplated. The Netherlands Government observed that a literal interpretation of the Dutch text would preclude disputes having their origin in fact arising prior to the time when the treaty goes into effect, and suggested the signing, at the time of the exchange of ratification of the treaty, of a protocol interpretative of Article I, the effect of which would be to make the treaty applicable to all disputes whether arising after the coming into force of the treaty or having their origin in facts arising prior thereto. Due to the exigencies of the late war, however, the matter lay dormant and was not renewed until 1923, at which time my predecessor was of the opinion that the proposed protocol would have the effect of modifying the terms of the treaty to which the Senate had given its approval and would therefore require its submission to that body. At that time neither this Government nor the Netherlands Legation at this capital was aware of the existence of any controversy between the United States and the Netherlands and the department advised the legation that there would appear to be no occasion for submitting the proposed protocol to the Senate.

The department is now in receipt of a note from the Netherlands minister in which he states that his Government confirms his prior statement that there is no existing controversy between the two Governments. The department understands that the insistence of the Netherlands Government to have the protocol concluded is due solely to their desire to clarify the variance between the Dutch and the English texts, without which they are not prepared to proceed to the exchange of ratifications of the original treaty, since the Netherlands States Assembly has approved the treaty on the understanding that this Government would accept the interpretative protocol.

I have the honor, therefore, to request that, should your judgment approve thereof, you transmit the inclosed protocol, dated February 13, 1928, to the Senate with a view to receiving the advice and consent of that body to ratification. When such ratification has been received, steps will be taken immediately to effect the exchange of ratifications of the original treaty accompanied by this protocol.

Respectfully,

FRANK B. KELLOGG.

The Government of the United States and the Government of the Netherlands, desiring to remove any doubt or uncertainty that may exist or that may hereafter arise as to the interpretation to be placed on Article I of the treaty signed between the two Governments on December 18, 1913, with respect to disputes that may exist between them at the time of the taking effect of the said treaty, have authorized the undersigned to declare that the said Article I is meant and intended to apply, subject to the terms of that article, to all disputes between the two Governments existing at the time of the taking effect of the treaty as well as to those arising thereafter.

In witness whereof the undersigned have hereto signed their names and have affixed their respective seals at the City of Washington, this thirteenth day of February in the year one thousand nine hundred and twenty-eight.

FRANK B. KELLOGG. [SEAL.]
J. H. VAN ROYEN. [SEAL.]

EXTRADITION TREATY WITH POLAND

In executive session this day, the following treaty was ratified, and, on motion of Mr. BORAH, and by unanimous consent, the injunction of secrecy was removed therefrom:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith an extradition treaty between the United States and Poland, signed at Warsaw, November 22, 1927.

There is also transmitted, merely for the information of the Senate, a protocol accompanying the treaty.

THE WHITE HOUSE,
Washington, February 16, 1928.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to ratification, if his judgment approve thereof, an extradition treaty between the United States and Poland, signed at Warsaw on November 22, 1927.

There is also inclosed, for the information of the Senate, but which seems to require no ratification on the part of the United States, a protocol accompanying the treaty.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,
Washington, February 15, 1928.

The United States of America and the Republic of Poland, desiring to promote the cause of justice, have resolved to conclude a treaty for the extradition of fugitives from justice, between the United States of America and the Republic of Poland, and have appointed for that purpose the following plenipotentiaries:

The United States of America: H. E. John B. Stetson, Jr., Envoy Extraordinary and Minister Plenipotentiary in Warsaw,

The Republic of Poland: H. E. August Zaleski, Minister for Foreign Affairs,

Who, after having so communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I

It is agreed that the Government of the United States and the Government of Poland shall, upon requisition duly made as herein provided, deliver up to justice any person who may be charged with, or may have been convicted of any of the crimes specified in Article II of the present treaty committed within the jurisdiction of one of the High Contracting Parties and who shall seek an asylum or shall be found within the territory of the other, provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offence had been there committed.

ARTICLE II

Persons shall be delivered up according to the provisions of the present Treaty, who shall have been charged with, or convicted of any of the following crimes:

1. Murder, comprehending the crimes designed by the terms parricide, assassination, manslaughter when voluntary, poisoning or infanticide;
2. The attempt to commit murder;
3. Arson;
4. Wilful and unlawful destruction or damage of track and railroad establishments, which endangers human life;
5. Crimes committed at sea:

a. Piracy;

b. Wrongfully sinking or destroying a vessel at sea or attempting to do so;

c. Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or by fraud or violence taking possession of a vessel;

d. Assault on board ship upon the high seas, with intent to do bodily harm.

6. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein;
7. Robbery, defined to be the act of feloniously and forcibly taking from the person of another goods or money by violence or by putting him in fear;
8. The fabrication of counterfeit money, wherein coin or paper, counterfeit titles or coupons of public debt, created by National, State, Provincial, Territorial, Local or Municipal Governments, bank notes or other instruments of public credit, counterfeit dies and the utterance, circulation or fraudulent use of the above mentioned objects;
9. Forgery or the utterance of forged papers or the fraudulent use of any of the same, providing the loss occasioned exceeds one thousand dollars or Polish equivalent;
10. Embezzlement or criminal malversation committed by public officers or depositaries, where the amount embezzled exceeds one thousand dollars or Polish equivalent;
11. Embezzlement by any person or persons hired, salaried or employed, to the detriment of their employers or principals, when the crime or offence is punishable by imprisonment or other corporal punishment by the laws of both countries and where the amount embezzled exceeds one thousand dollars or Polish equivalent;
12. Fraud or breach of a trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any Company or Corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds one thousand dollars or Polish equivalent;
13. Obtaining money, valuable securities or other property by false pretences or receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds one thousand dollars or Polish equivalent;
14. Larceny if the damage caused exceeds one thousand dollars or Polish equivalent;
15. Perjury or subornation of perjury, where as a result of such a false testimony, an innocent person has been punished by imprisonment or a more severe penalty, or a person has been unjustly acquitted of a crime or an unjust sentence was pronounced in a civil case where the amount exceeds one thousand dollars or Polish equivalent and a loss of this amount actually resulted;
16. Kidnapping of minors or adults defined to be the abduction or detention of a person or persons, in order to exact money from them, their families, or any other person or persons, or for any unlawful end;
17. Crimes and offences against the laws for the suppression of slavery or slave trading;
18. Crimes defined as the so-called traffic of women and girls, that means recruiting, abduction or seduction for immoral purposes of said persons, provided such crimes be punishable by imprisonment of at least one year, or by more severe penalty.

Extradition shall also take place for participation in any of the crimes before mentioned as an accessory before or after the fact, provided such participation be punishable by imprisonment of at least one year by the laws of both the High Contracting Parties.

ARTICLE III

The provisions of the present Treaty shall not import a claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences.

When the crime belongs to those designated in Article II sec. 1 and 2—the fact that the offence was directed against the life of the Head of the State, the President, of one of the High Contracting Parties, or against the Head of a Foreign State, or against the life of any member of his family shall not be deemed sufficient to sustain that such crime or offence was of a political character, or was an act connected with crimes or offences of a political character.

ARTICLE IV

The person delivered up shall be tried only for the crime or offence for which he was surrendered. This provision, however, does not apply to the case, when the said person fails to leave the territory of the Party to which he was surrendered within the period of three months after the date of inflicting upon him the penalty for the crime or offence for which he was delivered, or after the date of his being advised of his acquittal or of the fact that his case has been dismissed.

ARTICLE V

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, or according to the laws of the place where he was found, the criminal is exempt from prosecution or punishment for the offence for which the surrender is asked.

Extradition shall also not be granted if, in a case of concurrent jurisdiction, there has been concluded or is pending in the surrendering State the prosecution of the fugitive on a charge growing out of the same set of facts as that upon which the extradition is sought.

ARTICLE VI

If a fugitive criminal whose surrender may be claimed pursuant to the provisions hereof be actually under prosecution, out on bail or in custody, for another crime or offence, his extradition may be deferred until such proceedings be determined, or until he shall have been set at liberty in due course of law.

ARTICLE VII

If a fugitive criminal claimed by one of the Parties hereto, shall be also claimed by one or more powers, such criminal shall be delivered to that State whose demand is first received.

Nevertheless, the surrendering State may give preference to a third State provided it is bound by a treaty concluded with that State so to do.

ARTICLE VIII

Under the stipulations of this Treaty, the United States of America shall not be bound to deliver up its citizens, and the Republic of Poland shall not be bound to deliver up either Polish citizens or those of the Free City of Danzig.

ARTICLE IX

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offence, or which may be material as evidence of the crime, shall so far as practicable, according to the laws of either of the High Contracting Parties, be delivered up with his person at the time of surrender—nevertheless, the rights of a third party with regard to the articles referred to, shall be duly respected.

ARTICLE X

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the High Contracting Parties. In the event of the absence of such agents from the country or its seat of government, requisitions may be made by Consular officers.

A duly authenticated copy of the sentence of the Court, before which the conviction of the criminal took place, shall be produced with requisition of surrender. If the person, whose extradition is requested, is merely charged with crime or offence, or convicted by default, a duly authenticated copy of the warrant of arrest of the Court, and of the depositions upon which such warrant may have been issued, shall be produced with such other evidence, as may be deemed competent in the case.

Extradition shall be carried out in conformity with the law governing it in the country, where the requisition of surrender is made.

ARTICLE XI

The arrest of a fugititve criminal may be requested even upon telegraphic advice, stating the existence of a sentence of conviction or a warrant of arrest.

In Poland the requisition for the arrest shall be directed to the Minister of Foreign Affairs, who will transmit it to the appropriate authorities.

In the United States of America, the requisition for the arrest shall be directed to the Secretary of State, who shall confirm the regularity of the requisition and request the appropriate authorities to take action thereon in conformity with the law.

In both countries, in case of urgency, the requisition for the arrest and detention may be addressed directly to the appropriate magistrate, in conformity with the laws in force.

A person provisionally arrested shall be released unless within three months from the date of arrest the formal requisition for surrender with the documentary proofs set out in Article X have been produced by the diplomatic agent of the demanding Government or, in his absence, by a Consular officer thereof.

ARTICLE XII

In every case of a request made by either of the High Contracting Parties for the arrest, detention or extradition of fugitive criminals, the appropriate legal officers of the country where the proceedings of extradition are had, shall assist the officers of the Government demanding the extradition before the respective judges and magistrates, by every legal means within their power.

No claim whatever for compensation for any of the services so rendered shall be made against the Government demanding the extradition, provided, however, that any officer or officers, of the surrendering Government so giving assistance, who shall in the course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the Government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

These claims for fees are to be submitted through the intermediary of the respective Government.

ARTICLE XIII

The expenses of arrest, detention, examination and transportation of the accused shall be paid by the Government, which has preferred the demand for extradition.

ARTICLE XIV

The provisions of the present Treaty shall be applicable to all territory wherever situated, belonging to either of the High Contracting Parties, or in the occupancy and under the control of either of them during such occupancy or control.

ARTICLE XV

The present Treaty shall be ratified by the High Contracting Parties and the exchange of ratifications shall take place at Warsaw, as soon as possible.

This Treaty shall take effect on the thirtieth day after the date of the exchange of ratifications and shall be applied, although the crime or offence, for which the extradition has been claimed, have been committed before its entering into force.

The present Treaty may be terminated, yet it will remain in force for one year from the date on which such notice of termination shall be given by either of the High Contracting Parties.

In witness whereof, the undersigned Plenipotentiaries have signed the present Treaty and affixed thereto their respective seals.

Done in duplicate at Warsaw this 22d day of November, 1927.

[SEAL.] JOHN B. STETSON, Jr.
[SEAL.] AUGUST ZALESKI.

PROTOCOL ACCOMPANYING THE TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF POLAND

At the moment of signing the Treaty of Extradition between the United States of America and the Republic of Poland the undersigned Plenipotentiaries, duly empowered, have agreed as follows:

1. The Polish Government consents to extradite, at the request of the Government of the United States of America, all fugitive criminals, as they are referred to in the accompanying treaty, in cases where the charge involved exceeds $200.00, although the minimum provided for in the accompanying treaty for the High Contracting Parties is $1,000.00.

The foregoing agreement applies to the provisions of Paragraphs 9, 10, 11, 12, 13, 14 and 15 of Article II of the accompanying treaty.

2. The Polish Government, which by virtue of Article 104 of the Treaty of Peace of Versailles conducts the foreign affairs of the Free City of Danzig, undertakes to do all that is necessary to secure the adherence of the Free City of Danzig to the provisions of this protocol and the accompanying treaty as soon as possible.

In faith whereof, the undersigned Plenipotentiaries have signed the present protocol and affixed thereto their respective seals.

Done in duplicate at Warsaw this 22d day of November 1927.

[SEAL.] JOHN B. STETSON, Jr.
[SEAL.] AUGUST ZALESKI.

NOMINATIONS

Executive nominations received by the Senate February 24, 1928

UNITED STATES COAST GUARD

Isaac E. Johannessen to be a chief boatswain in the Coast Guard of the United States, to take effect from date of oath.

The above-named officer has passed the examination required for the promotion for which he is recommended.

UNITED STATES ATTORNEY

John R. Watkins, of Michigan, to be United States attorney, eastern district of Michigan, vice Ora L. Smith, appointed by court.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

To Coast Artillery Corps

Second Lieut. Marvin John McKinney, Air Corps, with rank from June 12, 1926.

PROMOTIONS IN THE REGULAR ARMY

To be major

Capt. Delphin Etienne Thebaud, Infantry, from February 17, 1928.

To be captains

First Lieut. William Neely Todd, jr., Cavalry, from February 16, 1928.

First Lieut. Thomas Reed Taber, Ordnance Department, from February 17, 1928.

First Lieut. Harry William Lins, Coast Artillery Corps, from February 18, 1928.

To be first lieutenants

Second Lieut. Ulysses John Lincoln Peoples, jr., Field Artillery, from February 16, 1928.

Second Lieut. Richard Briggs Evans, Cavalry, from February 17, 1928.

Second Lieut. Everett Clement Meriwether, Field Artillery, from February 18, 1928.

MEDICAL CORPS

To be colonel

Lieut. Col. John Leslie Shepard, Medical Corps, from February 21, 1928.

MEDICAL ADMINISTRATIVE CORPS

To be captains

First Lieut. Berban Huffine, Medical Administrative Corps, from February 16, 1928.

First Lieut. Richard Homer McElwain, Medical Administrative Corps, from February 19, 1928.

First Lieut. William Mortimer Barton, Medical Administrative Corps, from February 20, 1928.

PROMOTIONS IN THE NAVY

MARINE CORPS

Second Lieut. Richard J. Godin to be a first lieutenant in the Marine Corps, from the 17th day of May, 1927.

Sergt. George O. Van Orden, a noncommissioned officer of the Marine Corps, to be a second lieutenant in the Marine Corps, for a probationary period of two years, from the 20th day of January, 1928.

Quartermaster Clerk Claude T. Lytle to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 10th day of June, 1926.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 24, 1928

POSTMASTERS

MISSOURI

George L. Keener, Galt.
Thomas W. Box, Lamar.
William T. Robinson, La Plata.
Alexander T. Boothe, Pierce City.
L. Tom Wilder, Ste. Genevieve.
Charles Hawker, Wheeling.

PENNSYLVANIA

Lemuel N. Ammon, Gap.
John N. Sharpsteen, Honesdale.
Charles B. Bishop, Morton.

TENNESSEE

Chester A. Scott, Selmer.

HOUSE OF REPRESENTATIVES

FRIDAY, *February 24, 1928*

The House met at 12 o'clock noon.

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

Blessed Lord, we know that Thou art near by the thoughts of our hearts. Let Thy approach put everything else to silence, holy silence; it makes all others discord. Do Thou create within us chastened and softened spirits. Visit the poor and the unfortunate and cause them to smile through tearless laughter. No human being is so prized as he who advances through the conquest of difficulty. Opportunity is sacred. Teach us what patience and diligence can do through prolonged effort. Be with our country, and may the spirit of brotherhood and trust beat and throb until they echo to the remotest boundary lines of the Union. Amen.

The Journal of the proceedings of yesterday 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 a concurrent resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. Con. Res. 6. Concurrent resolution to print and bind the proceedings in Congress together with the proceedings at the unveiling in Statuary Hall of the statue of Alexander Hamilton Stephens, presented by the State of Georgia;

S. 1637. An act for the relief of Martha Henson;

S. 2370. An act to amend section 24 of the immigration act of 1917;

S. 2450. An act to amend the immigration act of 1924 entitled "An act to limit the immigration of aliens into the United States, and for other purposes";

S. 2737. An act for the relief of Morgan Miller;

S. 2781. An act to amend the Code of Law for the District of Columbia so as to empower the corporation counsel for the District of Columbia and his assistants to administer oaths; and

S. 2801. An act granting the consent of Congress to the New Martinsville & Ohio River Bridge Co. (Inc.) to construct, maintain, and operate a bridge across the Ohio River at or near New Martinsville, W. Va.

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

H. R. 5502. An act authorizing the Washington Missouri River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Washington, Franklin County, Mo.;

H. R. 5722. An act authorizing the Rogers Bros. Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.;

H. R. 6639. An act authorizing the Centennial Bridge Co., of Independence, Mo. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Liberty Landing, Clay County, Mo.;

H. R. 6991. An act authorizing the erection of a nonsectarian chapel at the Army medical center in the District of Columbia, and for other purposes;

H. R. 8106. An act authorizing F. C. Parnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Arrow Rock, Saline County, Mo.; and

H. R. 8107. An act authorizing Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Miami, Saline County, Mo.

ADJOURNMENT OVER UNTIL MONDAY

Mr. TILSON. Mr. Speaker, in case the consideration of the District of Columbia appropriation bill is completed to-day, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Connecticut asks unanimous consent, if the District of Columbia appropriation bill is completed to-day, that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

Mr. LINTHICUM. Mr. Speaker, reserving the right to object, why not adjourn until Monday anyway, whether we complete the District of Columbia appropriation bill to-day or not?

Mr. TILSON. We must complete the appropriation bill so that it may be on its way to the Senate.

Mr. BLANTON. And does the gentleman from Connecticut have to bribe the gentleman from Nebraska [Mr. SIMMONS] in order to go over a day?

Mr. TILSON. The gentleman from Texas can characterize my request as he wishes, but it is the desire to have this bill go to the Senate promptly. If it is finished to-day, rather than take two days to finish it, we can very well adjourn over and catch up with our other work. If the bill is not finished to-day, I shall feel that I must insist upon the consideration of it going on to-morrow.

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

Mr. TILSON. Yes.

Mr. ABERNETHY. What are we going to do on Monday?

Mr. TILSON. Next Monday is the regular District of Columbia day. I understand that the Committee on the District of Columbia has some important legislation which that committee wishes to have considered at that time.

Mr. BLANTON. And if we do not finish the appropriation bill to-morrow, is the gentleman going to run on Sunday?

Mr. TILSON. I think we ought to run to a very late hour to-morrow, if it be necessary to do so, in order to finish the consideration of this bill.

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

There was no objection.

ADDRESS OF HON. CHARLES H. BRAND

Mr. CRISP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a speech delivered by my colleague, Judge BRAND of Georgia, before the Georgia Bankers' Association, advocating that in insolvent banks the depositors be given first call on the assets.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. CRISP. Mr. Speaker, over 300 bankers from all portions of the State were in attendance upon this convention, held in Atlanta, Ga., May 16–18, 1927. He was speaking in the interest of the depositors of insolvent banks, contending that they should be paid first above all other creditors, which suggestion was approved and enacted into law at the following session of the General Assembly of Georgia.

PAY DEPOSITORS FIRST

I am not here as Congressman from the Athens district but as a delegate from the Brand Banking Co., of Lawrenceville, Ga., of which my brother, L. M. Brand, who is present, is president, I being chairman of the board of directors of this bank.

Mr. Eugene Black, in his address on the first day of this session of your convention, stated that numerous bills would be introduced at the next general assembly guaranteeing the payment of deposits of insolvent banks, and he classified that as radical legislation. I do not care to discuss what is or what is not radical legislation at this time, though in making the suggestion which I will submit to you for your consideration I want to state that I am not in favor of any character of legislation, State or national, the effect of which would be to make sound banks take care of unsound banks, successful banks to take care of unsuccessful banks, or strong banks to protect the weak banks.

The bill which I have introduced in Congress provides for a guaranty against loss to depositors in national banks and State banks members of the Federal reserve system, but there is not a line in the bill which is unjust or unfair to any bank, and there is no discrimination in favor of one bank against another. However, it is not my purpose to discourse upon the merits of this bill.

As all of you know, there are seven classes of preferred creditors under the present banking laws of Georgia. There were originally eight, but the "United States" as a preferred creditor was, by an amendment to the laws, eliminated a few years ago. The present law providing the order of paying debts of insolvent banks puts the depositors in the fifth class. I contend this is not right and that the law ought to be amended so as to take the depositors out of the fifth class and put them at the head of the list and let them be paid first in the distribution of assets of an insolvent bank.

I have attended every session of this convention and have heard all the discussions in regard to the banks of the States and all references to groups and zones, service charges, and how banks should be run, and the best way of functioning which would make money for the bankers, at which I make no complaint, but up to date no suggestion has been made regarding the payment of deposits when banks fail.

If we can not obtain more satisfactory legislation in behalf of depositors, the next best thing which should be done is to rearrange the order of paying preferred creditors, and instead of putting the State of Georgia first, which in all cases is protected by bond as counties are, the depositors should be placed first in the preferred class.

I submit to you this suggestion for your serious consideration, with the hope you will reach the conclusion that it is the duty of the general assembly to put depositors at the head of the list of preferred creditors so that when a bank in Georgia fails the people who put their money in such bank will be paid first.

The people of Georgia are no longer going to be satisfied with present legislation and the assurance that they will get the money they have deposited if the bank does not fail. What the people are clamoring for in this State, and what they are entitled to, is assurance that the depositors will get their money when they call for it when a bank does fail. This is not confined to Georgia. It is common feeling all over the country, especially in the Western States.

If the amendment which I propose to the present banking laws is enacted by the general assembly it won't hurt any bank in Georgia, it will not hurt the State of Georgia, it will not hurt any county in the State, and it will not do any injury to any of the municipalities who have bonded officers.

There is more suffering in Georgia on account of broken banks due to losses to depositors than any other one thing, and I think it is high time that the Georgia Bankers Association and this convention, which is composed of men of experience and a sense of justice and fairness, should get active and take some interest in behalf of the depositors. The situation calls for something more than passiveness or inaction on the part of the Georgia Bankers Association. The bankers of this State may as well meet the issue by proposing or supporting some constructive legislation which will afford protection to depositors. I think it would be almost a crime if the general assembly of this State at its next session does not do something to protect the depositors. I don't see how any banker or any member of the general assembly can afford to offer any opposition to the suggestion which I have made to you.

I have no right to suggest what you should do or should not do, but I give it to you as my judgment, after studying the situation for at least two years as a member of the Banking and Currency Committee of the House, that you owe it to your depositors whose money you use to make money for the banks to speak to the members of the next general assembly and urge upon them to pass some law which will give better protection to depositors than exists under present laws.

Something must be done if confidence is to be restored in the banks of the country. We must protect the depositor. If you make money in the administration of your trust as bankers, it is all right; paying dividends to your stockholders is all right; but for God's sake do something for the depositors to protect them when the banks become insolvent. [Applause.]

ADDRESS BY MR. HUSTON THOMPSON

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a brief speech by Mr. Huston Thompson on certain phases of government and prosperity.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by Mr. Huston Thompson. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Speaker, I desire to extend my remarks in the RECORD by inserting the following address at the Jackson Day dinner, January 12, 1928, Mayflower Hotel, Washington, D. C.:

IRRESPONSIBLE GOVERNMENT AND DIVES PROSPERITY

Mr. Chairman, Andrew Jackson was superb in fighting for his beliefs—supreme in fighting the things he opposed. He fought for lawful business, big and little, just as he fought against an irresponsible government which sprang from monopoly. Like him the Democratic Party has been the best friend lawful big business and little business in this country has ever had. But that same irresponsible government which Jackson fought and defeated is more in control to-day than ever before. It is no longer invisible nor inarticulate. It is omnipresent. At home it speaks with authority and abroad is speaks with shrapnel.

In a most exciting and informing eight years on the Federal Trade Commission I saw special privilege, the father of irresponsible government, perform. I saw it wend its way to and from the places where privilege and monopoly flourish in the banking center of New York City. There is the real center of our Government to-day. From thence its tentacles have reached out over our entire land. It sits by our fires and sups in our cups. It haunts our Treasury and it sometimes sleeps in our White House.

I saw irresponsible government take complete control under a Republican administration. This irresponsible government has no ideals; it believes not in the common man and makes no pretense of this except at election time. I learned from Calvin Coolidge what its philosophy is when he said: "We justify the greater and greater accumulations of

capital because we believe that therefrom flow all the support * * * to the charities which minister to the people as a whole." He has stated this repeatedly.

This is nothing more nor less than the philosophy of Dives. You remember the Bible story of a certain rich man, Dives, who graciously permitted the crumbs of charity to fall from his table to the beggar Lazarus.

Is it any wonder that with such a philosophy the administration blew a great blast of publicity in 1926 to glorify the creation of 11,000 millionaires, but was silent as the tomb over the mortality of more banks in that year than have ever failed in any other year of our history? Do you wonder that it soft-pedaled the startling information that last year there were 48,758 bankruptcies in the United States, with a total loss of $885,557,006, which, by the way, is $200,000,000 more in this year of vaunted prosperity than the losses of the previous year? Do you wonder that the administration in 1926 proclaimed the creation of 226 multimillionaires so loudly that we could not hear the tramp, tramp, tramp of over half a million people who are each year forsaking the farms for the unrest of our cities never to return, because they can not make a living in what Jefferson said should be our primary industry? Is it surprising that this irresponsible Government, with its Dives prosperity, has looked on with complacency while 39 per cent of our farms have come to be worked by tenants and the mortgages on 170,000 of them foreclosed annually; or that the farmer's purchasing dollar has dwindled to a value of 60 cents, while that of the tariff recipients is worth 100 cents?

The announcement made just a few days before this last Christmas that the largest cotton mills in New England, followed by other mills, all having a 45 per cent tariff protection, would, after repeated cuts in wages, put into effect another cut of 10 per cent on Christmas Eve so that the families of many were brought below a living income, caused no more tremor to irresponsible government than the fact that over 80,000,000 of our people are living at this hour on an income that supports but a bare existence.

Think not that this smug, self-satisfied prosperity that comes from irresponsible government is permanent. The rest of the world is not going to permit 6 per cent of the population of the earth to maintain the comfort and luxury of Dives with the possession of one-half of the gold of the world. If you doubt it, I would remind you that the industrial units of the nations of Europe are combining to trade against us, since they can not trade with us. I would remind you that within the last few months tariff doors have one by one been closing against us among the nations of Europe, and that on the 15th of this very month the German Government will discontinue certain preferences on automobile parts. This means not only a serious reduction in profits of American companies, but the closing down of at least five great American assembling plants in Germany. What will become of this much-vaunted prosperity should the rest of the world close its markets to us, as it is giving marked indications of doing, and our goods pile up on our wharves?

But make no mistake about it, my friends, this Dives prosperity is the real issue in the next campaign. At least it should be. The administration will not dare to bring forth the subject of economy with a Coolidge budget of four billion two hundred and fifty-nine millions and the most colossal pork-barrel expenditures of congressional history in the offing. It will not dare to submit its international policies dictated by irresponsible government; and what can it say of law enforcement when there has been none?

In preparation for its campaign, this irresponsible government, with its Dives prosperity, has silenced the Federal Trade Commission, it has made the Department of Commerce a school for the study of price control, and it has held chloroform to the nostrils of the Department of Justice. Its battle lines are set, and its Big Berthas of publicity and propaganda are ready to blaze forth.

What about the ideals of the Democratic Party, which must meet the attacks of our opponents? We recorded some of them in the statute books when we were last in power. We declared our belief in property rights and in human rights. We enacted laws with the purpose of freeing lawful big and little business from the attacks of special privilege and monopoly. We legislated against unlawful concentration of capital, because unlawful concentration is death. We reduced the tariff to a point where competition in prices was once more restored in this country in order to bring about a fairer distribution of our wealth. We believe that this country was dedicated not to ideas, but to ideals that have nothing in common with the prosperity of a Dives. We believe in a foreign policy that does not destroy the lives of our own marines nor of the people of other nations with whom we are at peace, and we have set our faces against force and dollar diplomacy. We believe that this country should aspire to and maintain that position of moral and political leadership among mankind which it was privileged to have under Woodrow Wilson.

But what do we see as we look at the country to-day? Great masses whom the administration is endeavoring to fool into believing there is universal prosperity. We see apathy and loss of interest in government which does not even awaken to a resentment over the most terrible political scandals that have ever visited our land.

We see the concentration of wealth and power into the hands of a few because of the lack of law enforcement until 1 per cent of the people own more of the wealth of our Nation than the other 99 per cent; two corporations own one-half of our iron ore; four corporations own one-half of all of our copper ore; and six corporations own one-third of our developed water power. We see holding companies with as many as 150 subsidiaries who take their orders from the parent company. The parent company, operating interstate, is therefore beyond the reach of State laws, and for this reason the States have lost control; we see the helpless public descending upon Washington for protection because the States can not help them, and Congress setting up commissions, bureaus, and divisions of government to meet the situation because they know of no other remedy and because there is no other remedy if we permit great monopolies and irresponsible government to have their sway. We see powerful groups combining, merging, and incorporating until many of the avenues of publicity are no longer free or competitive. If this is not government by oligarchy, what is it?

Everywhere I hear that there are no issues. Everywhere I go men are discussing personalities and not principles. Everywhere I hear our Republican opponents seductively suggesting issues upon which they hope we will split and forget those against which Jefferson, Jackson, Lincoln, and Wilson fought and against which we, too, must fight if we are to deserve the support of the people. It is time for us to go before the country with some claims, some issue in keeping with the history of America and with the traditions of our great party.

The issue of a reasonably reduced tariff that will restore the equilibrium between the farmers and industrialists and bring back the benefits of competition to the mass of ultimate consumers. The issue of the sale of Senate seats and Cabinet bribery; the issue of the breaking down of privilege, monopoly, and the unlawful concentration of wealth; of protecting honest business, big and little, against the attacks of irresponsible government, and halting the control of the agencies which educate and inform our people. The issue of law enforcement. The issue of the resumption of our former place of moral leadership among the nations of the world. These are the issues to which free men can give impassioned allegiance. They are the issues which will justify the existence of the Democratic Party.

Let us set them over against the issue of irresponsible government and its offspring, prosperity of Dives.

You know and I know that the Government in Washington is no longer the Government of the people as a whole, but that the real Government is a soviet of financiers, a dictatorship of finances and monopolies. You know that we have gotten about as far away from the kind of a nation that Jefferson planned and Jackson builded as it is possible to get. You know that this great people has responded to nobler and higher appeals than those of Dives and the dinner pail. It was not for a Dives prosperity that men trod the frozen roads with Washington. It was not for this that our land gave 70,000 boys and $20,000,000,000 of treasure. No! All those sacrifices were made in the attempt to suppress irresponsible government, to secure social justice, to make democracy safe not only in the world at large but in our Nation and to live up to the ideals which once made America beloved and admired of all mankind.

Shall we surrender to irresponsible government and become crumb collectors like Lazarus, or shall we determine once and for all to be free men and women?

If we shall take our stand alongside the spirit of Jackson, we shall arrest the attention of the country by our challenge. Let us take that stand. Like him let us give no quarter and ask for none! Then shall we again climb to the heights of victory!

PREPAREDNESS

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to read a telegram and to address the House for three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS. Mr. Speaker and Members of the House, I have been asked to read the following telegram from Mrs. Margaret N. McCluer:

KANSAS CITY, MO., *February 20, 1928.*

MRS. EDITH NOURSE ROGERS,
Member of Congress, Washington, D. C.:

Hearty congratulations to you and the other three women in Congress for your splendid stand on national defense and the Navy bill. The American War Mothers are praying that you win. They whose sons have served and are serving on land and sea know the meaning of naval and military preparedness. The Washington report is wrong in saying only the Daughters of the American Revolution stand for preparedness. Thirty organizations that participated in last national patriotic conference went on record demanding preparedness. The American War Mothers were in that conference and cast their vote for the naval bill now in Congress and for all measures that want

adequate defense, knowing and believing reasonable preparedness is the best peace insurance. We do not wish to be classed in the pacifist ranks, so beg of you to correct same on floor of Congress, if possible.

Loyally yours,

Mrs. MARGARET N. McCLUER,
National Legislation Chairman American War Mothers.

It is significant that these splendid patriotic war mothers want adequate national defense. Many of these women gave what was far dearer to them than life—their sons to die for us. Many of these war mothers have the agony of seeing their boys sick, and terribly mutilated, as a result of our lack of national defense. They know only too well what lack of preparedness means. They are paying the cost of it. These women believe in adequate national defense just as some of the greatest Presidents of our country believed in it.

George Washington, Alexander Hamilton, Thomas Jefferson, and Theodore Roosevelt wanted peace-time preparedness, and President Calvin Coolidge has always stated that he wanted adequate preparedness.

Theodore Roosevelt said:

So far from being a provocation to war, an adequate and highly trained Navy is the best guarantee against war, the cheapest and most effective peace insurance.

Our safe and sound President Calvin Coolidge, in his inaugural address in 1925, said:

Our country represents nothing but peaceful intentions, but it ought not to fail to maintain such a military force as comports with the dignity and security of a free people.

And Congress has believed that he favored strengthening our Navy at the present time.

We Americans do not want war. We think in terms of peace, but we owe it to those men who defended us by their supreme sacrifice to have adequate naval and military protection to insure the peace that they so dearly bought.

We all know what treaties may mean. Heaven forbid that another war should ever come. But if it should come, our young men would go into it in the same patriotic, fearless way that the young men have entered all our wars. We have asked so much in every war of the youth of this great land of ours, and the youth have never failed us. In war time the flower of the country goes forth to battle. It seems incredible that they should be allowed to go unprepared. No one wants peace more than I, as I have seen too steadily since 1917 the horrors of war not to want a lasting peace. And the only way to insure peace is to be adequately prepared in man power—prepared by an able Foreign Service, prepared by land, prepared by sea, prepared industrially, prepared in the air, and prepared under the sea.

I shall never forget seeing the *Fatherland* on January 1, 1918, creeping out of New York Harbor. The ship was packed with young men—too young to die, too young to be mutilated. I later learned that four times that interned ship started with her precious cargo of young life only to return to New York. Something was wrong with the engines. If we had had enough ships of our own we would not have been obliged to use the interned German ships that we needed and used with fear, as there was the probability that the engines had been tampered with by the Germans.

I have been very much distressed, and I believe other Members of the House have also, in receiving letters from clergymen and from other people protesting against the Navy bill. Their letters show that they do not understand that this measure of preparedness, the proposed naval bill, is one of national defense and not a preparation to wage war. There is a curious lack of understanding, a curious lack of tolerance exhibited in these communications. If words could kill, some of us would certainly be dead. I have received letters from supposedly gentle clergymen, who use language in describing this measure which makes me blush with shame for them. I believe if they really understood the original proposed naval bill the so-called pacifists would undoubtedly want that measure of national defense. They want us to be able to protect ourselves, I am sure, in case we were attacked. They little realize the impression we are receiving from their letters—that they are bitter and vindictive and are waging a kind of war against Members of Congress. They write me that Congress is "blind," that Congress is "stupid," and in the same letter they ask me to support the President, implying that the President wants no more replacements; wants no more ships. They are very unjust. They indicate very clearly that they little understand any proposed naval bill. On the other hand I have many letters like this telegram from the American War Mothers, from people who suffer as a result of war, people who want adequate defense. They are tolerant and much more pacific than most of the people who write me against the naval program. It would be unfair to say that all letters sent to me against the bill are discourteous, because many of them are most courteous. And as yet no one, except the committee, knows just what the Naval Affairs Committee will report out. I firmly believe that when the committee does report out its naval bill and when the citizens of the United States understand the need of replacements in our Navy and the need for some new ships, that only those who believe in practically no Navy at all will complain. These frenzied protests have been due in large measure to lack of knowledge of our naval problem. It is a great pity that at the present time the pacifists are separated from the patriotism of the minds of the country. I know a pacifist can also be a patriot, and I know that patriots most earnestly want peace.

Doctor Gordon, of Winnipeg, who writes under the nom de plume of Ralph Connor, was a chaplain during the World War. He said, "We of England have had to realize what a terrible thing it is to be unprepared against those who are prepared," and also "what a terrible thing it is to have but walls of flesh and blood to put up against machines of steel." Doctor Gordon is a pacifist and Doctor Gordon is a patriot.

I thank you for your attention. [Applause.]

SUBMARINES

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to address the House for five minutes on the subject of submarines.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. McCLINTIC. Mr. Speaker and Members of the House, as long as civilized nations maintain, own, and operate submarines, just that long will the United States have to keep up this arm of its national defense. A submarine can come closer to the harbors of the world than any other type of ship in time of war. It was the submarine that destroyed as much as 1,000,000 tons of commerce per month during the World War. I venture to say that should this Nation be so unfortunate as to become involved in a war with a major nation it would have to commandeer every shipbuilding plant in the United States in order to build enough submarines to protect our country and our commerce. So, if that is true, why should we not face this situation in the proper way?

Now, we have an investigation of this subject proposed, and the issue has been joined. One of the captains in the Navy Department has made the statement that no new safety devices have been offered in a period of a few years, and the inventor of the submarine says that if the ideas that he has placed upon ships belonging to foreign nations had been adopted by our Navy we could have saved 38 or 40 of the men lost in the last submarine disaster. So that question ought to be investigated, because the naval investigating committee did not even touch the subject of safety devices; and in addition I am confidentially informed that all the tests or trial runs that were necessary for the *S-4* to make prior to this disaster were made and because the Navy would not accept the word of the commanding officers they were required to make these tests again; therefore, the Navy put aboard an inspector and a civilian engineer who, of course, lost their lives.

This disaster ought to be investigated. We ought to know whether charges of this kind are true or not; and how are we to know if we do not investigate this disaster through some committee charged with this responsibility?

So I respectfully take issue with those who object to the investigation of this disaster on the ground that a special committee of the Navy has investigated it and has gone into the matter most thoroughly. I make the statement that the committee has not touched the vital points in which the American people are interested, because you know and I know from the letters that come to us that the people want to be informed why this Government has not provided safety devices so that when a submarine is sunk it can be rescued from the bottom of the ocean.

Mr. Speaker, I have some short extracts from newspapers which relate to this last investigation. Most of them are about 10 lines long. I think they will be very valuable, because if a committee is appointed to investigate this matter the same will be in the RECORD. I ask unanimous consent to insert them as a part of my remarks.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to insert certain extracts from various newspapers on the subject indicated. Is there objection?

Mr. SNELL. I hope the gentleman will withhold that request for a time. It is not the policy to go into those matters now.

Mr. McCLINTIC. Would the gentleman object to my inserting them in the back part of the RECORD?

Mr. SNELL. I trust the gentleman will not ask to insert them for the present.

Mr. McCLINTIC. All right. I will be glad to accede to the gentleman's wishes.

Mr. LINTHICUM. A few days ago I talked with Mrs. Jones, the widow of Roy Jones, who was in command of the *S-4*, and she spoke of a cable that had been extended from the front of the submarine to the rear, to hold it steady. Will the gentleman explain what that cable was?

Mr. McCLINTIC. I am not a submarine expert, and I am sorry I can not answer the gentleman's question.

WITHDRAWAL OF PAPERS

Mr. KVALE. Mr. Speaker, I ask unanimous consent that certain papers in the case of Seaford Anderson may be withdrawn from the files of the Committee on Military Affairs. The chairman of the committee informs me that there has been no adverse report thereon.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to withdraw from the files of the Military Committee of the House certain papers in the case of Seaford Anderson, there being no adverse report thereon. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. SIMMONS. Mr. Speaker, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11133, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. HOOPER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11133) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1929, and for other purposes.

Mr. SIMMONS. Mr. Chairman, under the unanimous-consent agreement of yesterday we should now return to the paragraph beginning on line 9 of page 46.

The CHAIRMAN. Under the unanimous-consent agreement yesterday the committee will return to the paragraph referred to on page 46, as indicated by the gentleman from Nebraska. The Clerk will read the paragraph.

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the instruction of pupils who dwell outside the District of Columbia: *Provided*, That this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of the approval of this act.

Mr. GAMBRILL. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. GAMBRILL: Page 46, strike out all of lines 9 to 14, inclusive.

The CHAIRMAN. The gentleman from Maryland is recognized.

Mr. GAMBRILL. Mr. Chairman and ladies and gentlemen, my amendment is designed to strike out a certain paragraph of the bill which, if it is allowed to stay in the bill, will bar the children who reside outside of the District of Columbia from being instructed in the public schools of the District. We are facing here to-day the same issue which we faced two years ago.

Unfortunately the idea prevails that all children who reside outside of the District of Columbia are entitled to receive free instruction in the schools of the District. Such is not the case. Under the existing law that right or privilege is conferred only on certain children whose parents are engaged in business in the District of Columbia, officially or otherwise, or who are the children of officers and men of the United States Army and Navy. In order that the members of the committee may get this subject definitely in mind, I am going to read excerpts from the various laws: First, as to those who are entitled to admission to the public schools of the District of Columbia, the children of parents who are engaged in official duties or public duties in the District of Columbia; secondly, those whose parents are engaged, official or otherwise, in business in the District of Columbia; third, children of officers and men of the United States Army and Navy stationed outside of the District of Columbia; fourth, children of officers and men of the United States Army and Navy and children of other employees of the United States stationed outside of the District of Columbia; and, fifth, children of soldiers and sailors of the United States not residents of the District of Columbia who are on duty at stations adjacent to the District of Columbia. So you will see, members of the committee, that the privilege or right is simply granted to certain children whose parents have certain rights which the law has recognized.

The great bulk of the children who attend the schools of the District of Columbia, whose parents reside in Maryland or Virginia, are the children of those who are engaged officially or otherwise in business in the District of Columbia; and by their work and activities here contribute toward the taxable basis of this city. They are entitled for that reason to special consideration.

The general impression prevails that the State of Maryland and the State of Virginia have not done their share in trying to meet this situation. I want to disabuse the minds of the members of this committee of that idea, so far as the State of Maryland is concerned. I may say, without boastfulness but with a certain degree of pride, that the State of Maryland has in recent years made two notable contributions toward civic progress in that it has done as much if not more than any State in the Union in the construction of good roads, and it has advanced in educational facilities and conveniences from a low plane until to-day she stands in a notable position among the States of the Union.

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

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

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

There was no objection.

Mr. GAMBRILL. But we in Maryland in particular are faced with an unusual situation in that the population of the city of Washington has grown enormously in the past 8 or 10 years and there has been a great influx of population over the District line into Maryland, which has brought about a school situation that it has been difficult for us to meet, particularly if you ladies and gentlemen will bear in mind that all school activities radiate from the county seat, and we as yet have not been able to meet this situation to its fullest extent.

I want to draw attention to a very significant situation, namely, that the committee hearings of two years ago, when the District of Columbia appropriation bill was up for consideration, show that at that time there were about 3,072 nonresident pupils who were attending the public schools in the District of Columbia. To-day that number has been reduced by 500, and now there are only about 2,500 nonresident children attending the schools in the District of Columbia. So the unusual situation which confronts us in Maryland is being met. I want to emphasize that we in Maryland are endeavoring to do our part and have done our part, and wherever the convenience of the situation was such that the children of parents residing in the District of Columbia found it more convenient to attend schools in Maryland they have been privileged to attend those schools free from any tuition charges.

I have a letter from the superintendent of the public schools of Prince Georges County, a county which is contiguous to the District of Columbia, in which the statement is made that they have in Prince Georges County schools 258 pupils whose parents are either residents of the District of Columbia or are on reservations of the United States Government. The superintendent of the public schools of Montgomery County writes me that there are 106 students attending the schools in that county whose parents reside in the District of Columbia, and in Anne Arundel County, where the Naval Academy is located, and where there is a large Government camp, the number of nonresident pupils is 157. So that in three counties alone—and I have only taken three counties in the whole State of Maryland—Maryland is educating without cost to the parents 521 pupils who may be termed nonresidents.

Mr. SIMMONS. Will the gentleman yield?

Mr. GAMBRILL. Certainly.

Mr. SIMMONS. The gentleman terms as nonresidents those pupils living within the State of Maryland on Government reservations?

Mr. GAMBRILL. The number, 521, which I have given in the statement just made, is mostly made up of children whose parents reside in the District of Columbia.

Mr. SIMMONS. Can the gentleman separate those figures?

Mr. GAMBRILL. In a general way; about 158 such students are attending the public schools in Prince Georges County, about 106 in Montgomery County, and about 75 in Anne Arundel County.

Mr. SIMMONS. From the District of Columbia?

Mr. GAMBRILL. With the exception of Anne Arundel County, these figures are correct. About 158 from Prince Georges County and 106 from Montgomery County are children attending the schools in those counties whose parents reside in the District of Columbia, and they are not paying tuition charges.

Mr. SIMMONS. The remainder of those in the total the gentleman gave are living within the State of Maryland on Government reservations?

Mr. GAMBRILL. That is true.

Mr. SIMMONS. And the gentleman terms those living on Government reservations in Maryland nonresidents of the State of Maryland?

Mr. GAMBRILL. Manifestly, because they have no voting rights, they pay no taxes, and they contribute nothing in a sense toward the maintenance and support of the State government and of the county government in which they reside.

Mr. SIMMONS. Then they should be termed nonresidents?

Mr. GAMBRILL. Certainly.

Mr. SIMMONS. Does not the same argument, then, apply to your people coming into the District of Columbia?

Mr. GAMBRILL. They are nonresidents, of course.

Mr. SIMMONS. And come under the same general classification in which the gentleman puts the Government people who are in your State?

Mr. GAMBRILL. Not at all. I want to draw this distinction, that those nonresident pupils who come into the schools of the District of Columbia come under one broad class, those children of parents who are engaged officially or otherwise in business in the District of Columbia, men who are engaged in commercial pursuits here and who by their commercial activities add to the taxable basis of the city of Washington and contribute toward the support of the District of Columbia.

Mr. SIMMONS. Will the gentleman yield further?

Mr. GAMBRILL. Yes.

Mr. SIMMONS. I understand it is the gentleman's position that the people who live on Government reservations in the State of Maryland contribute nothing to the State of Maryland?

Mr. GAMBRILL. Very little, if anything. They make most of their purchases from the commissaries on the respective reservations and do very little trading in the State of Maryland; but we are glad to have them, nevertheless.

Mr. LINTHICUM. Will the gentleman yield?

Mr. GAMBRILL. Certainly.

Mr. LINTHICUM. The gentleman raised some question about reservations; was not the District of Columbia taken over under the same provision of the Constitution that all these other reservations were taken over?

Mr. GAMBRILL. That is correct.

I want to say further, the amendment is drawn very skillfully and very artfully, if I may use that designation, in that it deprives the poor Government clerk who is drawing a small, meager salary and who goes into the State of Maryland or into Virginia in order to eke out a livelihood of the privilege of sending his children to the schools here in the District of Columbia; but it does not prevent the children of a Congressman who draws $10,000 a year and who dwells here but a few months of the year from sending his children to the schools of the District of Columbia.

Mr. SIMMONS. Will the gentleman yield there?

Mr. GAMBRILL. Certainly.

Mr. SIMMONS. The gentleman will concede that if a Congressman lives in the State of Maryland or the State of Virginia while Congress is in session, it does require that his children be subject to exactly the same limitations as the children of anyone else.

Mr. GAMBRILL. I did not know this was a bill directed particularly against the Congressmen from Maryland and from Virginia. I thought it had general application.

Mr. SIMMONS. That is a method that is used by people in Maryland to stir up antagonism——

Mr. GAMBRILL. Oh, no.

Mr. SIMMONS (continuing). When the children of a Congressman receive exactly the same treatment under this provision as the children of a charwoman anywhere in the city of Washington.

Mr. GAMBRILL. But the point I seek to make is that you have men engaged in commercial pursuits here in the District of Columbia who live in Maryland or in Virginia who are doing a great deal toward increasing the taxable basis of the city, and you have, it is estimated, 224 children of Congressmen and secretaries of Congressmen who are privileged under this paragraph of the bill, which I am objecting to, to attend the public schools of the District of Columbia, when not 10 per cent of the Congressmen are contributing anything toward the taxable basis of the District of Columbia.

Mr. GOLDSBOROUGH and Mr. KETCHAM rose.

Mr. GAMBRILL. I yield first to the gentleman from Maryland [Mr. GOLDSBOROUGH].

Mr. GOLDSBOROUGH. Does the gentleman know how many pupils from the District of Columbia attend the University of Maryland annually?

Mr. GAMBRILL. About 200.

Mr. GOLDSBOROUGH. And they cost the State of Maryland $70 apiece.

Mr. GAMBRILL. That is correct.

Mr. GOLDSBOROUGH. That is an annual cost?

Mr. GAMBRILL. That is the annual cost to the State of Maryland.

Mr. KETCHAM. Will the gentleman yield for a question at that point?

Mr. GAMBRILL. Certainly.

Mr. KETCHAM. Just a moment ago I understood the gentleman to give the figures representing the number of pupils from the District of Columbia who attend school in Prince Georges and Montgomery Counties. Will the gentleman kindly repeat those figures?

Mr. GAMBRILL. I have a letter from the superintendent of public schools of Montgomery County who says we have a total of 106 pupils reported as being enrolled in our public schools whose parents do not live in Maryland, and in a talk with him over the telephone I was advised that all these children are the children of parents residing in the District of Columbia.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. GAMBRILL. If I may, I will complete the answer to the question asked me by the gentleman from Michigan.

The superintendent of the board of education of Prince Georges County informs me by letter that there are——

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

Mr. GAMBRILL. Mr. Chairman, I ask unanimous consent that I may have five additional minutes.

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

There was no objection.

Mr. GAMBRILL. There are 158 pupils attending the schools of Prince Georges County whose parents reside in the District of Columbia.

Mr. KETCHAM. I thank the gentleman for that information. I wonder if the gentleman has given any consideration to this thought: What relation does the combined number of children from the District of Columbia bear to your total school enrollment of Prince Georges and Montgomery Counties, in relation of the 2,500 to the 69,000 who are to be found in the District of Columbia?

Mr. GAMBRILL. I have not those figures in mind beyond this statement made by the superintendent of public schools of Prince Georges County, who says there are 10,500 pupils attending the schools in that county.

Mr. KETCHAM. Is it not a fair assumption to say that considering school populations in both units, the attitude of Montgomery County and Prince Georges County toward the District of Columbia is as fair as the attitude on the reverse side of the question?

Mr. GAMBRILL. I think that is unquestionably true.

Mr. KETCHAM. And are you asking anything more, relatively, from the District of Columbia, when you ask that these children be continued, than you are willing to concede to the people of the District of Columbia in sending their children to the outside schools?

Mr. GAMBRILL. That is a correct statement and I am glad the gentleman brought that out.

Mr. CHINDBLOM. The gentleman from Maryland [Mr. GOLDSBOROUGH] a moment ago made reference to the University of Maryland. Does the University of Maryland charge tuition fees of its students?

Mr. GAMBRILL. It charges a tuition fee which is a very small part of the cost of the education of those students.

Mr. CHINDBLOM. Does it charge the same fees of residents of Maryland that it does residents of other parts of the United States?

Mr. GAMBRILL. It does charge the same fee to the District of Columbia students that it does to the residents of Maryland.

Mr. CHINDBLOM. What about other parts of the United States?

Mr. GAMBRILL. I have not any information on that score.

Mr. CHINDBLOM. Then, of course, when the gentleman says it costs the State of Maryland $70 a pupil for these students from the District of Columbia, that is exactly the same loss that the University sustains with reference to other students?

Mr. GAMBRILL. It sustains that loss in respect of the students from its own State, but there is no reason why that privilege or benefit should be extended to the students of the District of Columbia unless the State of Maryland wishes to recognize this reciprocity between the two political units.

Mr. CHINDBLOM. That of course, is a matter for the State of Maryland and for the managers of the University of Maryland to determine.

Mr. GAMBRILL. Manifestly.

Mr. CHINDBLOM. If they are willing to allow residents of other parts of the United States than the State of Maryland to attend the University of Maryland upon the same terms as their own citizens, that is due to their own determination.

Mr. GAMBRILL. It is their own determination——

Mr. CHINDBLOM. And Congress has nothing to do with it.

Mr. GAMBRILL. But it is a recognition of the fact that Maryland surrounds the District of Columbia and there has to be reciprocity and understanding and cooperation between the two in order to obtain the best results.

Mr. CHINDBLOM. Oh, but I dare say this does not specifically relate to the District of Columbia and I have no doubt citizens of Virginia or any other State can attend the University of Maryland upon the same terms, can they not?

Mr. GAMBRILL. I do not understand they can; no. That is not my understanding.

Mr. GOLDSBOROUGH. No.

Mr. CHINDBLOM. Let us get the facts.

Mr. GOLDSBOROUGH. I understand that Maryland pays cash $70 for every pupil——

Mr. BLANTON. Mr. Chairman, this is a very important matter, and I make the point that there is no quorum present.

Mr. GOLDSBOROUGH. I do not think the gentleman from Texas ought to interrupt me.

Mr. BLANTON. I am making a point of order that interrupts anybody.

The CHAIRMAN. The gentleman from Texas makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. HOLADAY. Will the gentleman yield?

Mr. GAMBRILL. I will.

Mr. HOLADAY. In reference to the question asked by the gentleman from Illinois [Mr. CHINDBLOM] does the gentleman know that within the last two weeks the president of the University of Maryland has appeared before a committee of this House and asked that the District of Columbia pay tuitions for the students from the District in the University of Maryland.

Mr. GAMBRILL. I am aware of that fact, but that action was taken by the president without consultation with me or with other Members of this House, and I am not in sympathy with that effort.

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

Mr. BLANTON. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Will the gentleman yield?

Mr. GAMBRILL. I will.

Mr. BLANTON. There are 2,571 children of scholastic age from Virginia and Maryland now attending the District schools. What in return do I understand Maryland and Virginia are giving the people of the District of Columbia?

Mr. GAMBRILL. I am afraid the gentleman from Texas was not present when the subject was being discussed.

Mr. BLANTON. Oh, yes; I was here.

Mr. GAMBRILL. I gave the figures of the number of students attending schools in Montgomery County and Prince Georges County whose parents are residents of the District of Columbia, and they are not required to pay tuition.

Mr. BLANTON. They are Army officers, are they not?

Mr. GAMBRILL. Certainly not.

Mr. BLANTON. Where did the gentleman get those statistics?

Mr. GAMBRILL. From the superintendent of schools.

Mr. BLANTON. How many children are domiciled in the District and attend those schools?

Mr. GAMBRILL. In Prince Georges County, 158; Montgomery County, 106; actual residents of the District of Columbia.

Mr. BLANTON. Two hundred and sixty-four against 2,571. The people of the District and our Government are paying for the education of 2,571 children who live in Maryland and Virginia.

Mr. GAMBRILL. You are doing that because the children are children of parents who have certain rights in the District of Columbia, because they pay taxes here.

Mr. BLANTON. No; they live in Virginia and Maryland because it is cheaper, and pay their taxes in those States.

Mr. GAMBRILL. Oh, the gentleman is looking at it from a distant point of view. He lives in a State 2,000 miles away. We have a real situation to meet here, and it ought to be met in a conciliatory way and not brought in here as legislation on an appropriation bill under the guise of a limitation.

Mr. CASEY. Will the gentleman yield?

Mr. GAMBRILL. Yes.

Mr. CASEY. In response to a question propounded by the gentleman from Illinois, the gentleman from Maryland stated that the president of the University of Maryland appeared before a committee of the House. May I ask what committee it was?

Mr. GAMBRILL. The District Committee, I think—the gentleman from Maryland can enlighten the gentleman.

Mr. ZIHLMAN. It was the subcommittee of the District Committee. He did not ask that the District pay tuition in the University of Maryland, but he did ask that the District be put under the provisions of the Morrill Land Grant Act.

Mr. CASEY. What I wanted to get clear was that this man did not appear before the subcommittee of the District of Columbia on the bill we are considering.

Mr. GAMBRILL. He did not.

Mr. SIMMONS. Will the gentleman yield?

Mr. GAMBRILL. I yield.

Mr. SIMMONS. It has been said to the members of the subcommittee on District appropriations that the so-called underpaid Government clerks——

Mr. GAMBRILL. For whom I have great sympathy.

Mr. SIMMONS. And for whom we have great sympathy—were not the people who bring their children into the District schools, and that the children of the well to do with a higher salary bring their people into the District, because your district does not build schoolhouses and afford proper facilities that the Government clerk wants schools in his home community; will the gentleman discuss that?

Mr. GAMBRILL. As I understand the comment of the gentleman, it is rather a criticism of what has been done or what the school authorities of Maryland have neglected to do. It seems to me a complete answer to that criticism can be made when I say that Prince Georges County, in the territory contiguous to Washington, where a great many of these students come from——

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

Mr. GAMBRILL. Mr. Chairman, I have had so many interruptions that I ask for five additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GAMBRILL. Prince Georges County has in the last four or five years built between 40 and 50 new school buildings in order to take care of the children of that county.

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

Mr. GAMBRILL. Yes.

Mr. GOLDSBOROUGH. The situation about the University of Maryland is this: Pupils from the State of Maryland and from the District of Columbia are charged $70 less tuition than are pupils from all of the other States in the Union. That $70 is made up out of the treasury of the State of Maryland, and the District of Columbia pupils cost the State of Maryland about $14,000 a year, as there are about 200 of them.

Mr. GAMBRILL. I am very glad to have that contribution to my remarks, which seems to me to be a complete answer to the statement made by the gentleman from Illinois.

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

Mr. GAMBRILL. Yes.

Mr. WHITEHEAD. I notice in the report of the committee that they say it is the intention of this bill to exclude children who are not residents of the District of Columbia. Will the gentleman give us his opinion on just who would be included within that term "not residents of the District of Columbia." Would that mean the children of civil-service employees who have living quarters in the District of Columbia, but who are residents of the States from all over the Union?

Mr. GAMBRILL. I should say that it would not apply to one who had a dwelling or a domicile here. That seems to me to be the answer to that question.

I want to conclude my remarks by showing the attitude of the people of the District of Columbia in relation to this subject. I read an excerpt from remarks made by Mr. Whitaker, president of the Citizens' Association of Takoma Park. Speaking of this subject he said:

It will work itself out. The feeling for a number of years was very strong against the Maryland people using the District of Columbia schools. That feeling was strong on the part of the District of Columbia citizens, but it has died down somewhat, although not entirely. It has died down somewhat because of the strong efforts made by the Maryland people to build adequate school facilities, which they are doing. They are constructing school buildings which they claim will provide for all Maryland children.

I read certain excerpts from an editorial which appeared in the Washington Times of January 25, 1928, as reflecting the views of the city of Washington on this subject. In this editorial the Cramton bill is discussed.

Looked at wholly as a financial matter, the bill may be justified. Looked at as shutting our splendid schools to large numbers of poor children, whose parents are our close neighbors and can not afford to pay tuition fees, the bill has little to commend it. It is not in keeping with the cry of educators that American youth should be given every opportunity for schooling.

The various District appropriation bills for years past have carried certain exemptions from tuition fees in our schools. The principal exemption has been that of children of Government employees, men and women working in Washington, spending their money here, identified in every way with the life of this city except in actual residence.

The majority of these Government workers are underpaid. They would be unable to meet tuition charges for their children. Especially would this be true as to children in the junior and senior high schools, the tuition fees in which would be from $131 to $183 per year. Not only that, these children, living near Washington, have no high schools of their own to attend. They would be deprived of useful education.

The average enrollment in District schools is now about 72,000 a year. Of this number there are 2,582 nonresident pupils, and 57 of these pay tuition. Theoretically, their average cost to the District is something less than $100 per year, or a total of approximately $200,000.

That, however, is guesswork. If these pupils were shut out from our schools altogether, the saving would not be anything like $200,000 a year. The number of teachers employed would be practically the same, for most teachers are now instructing classes far above the number of pupils they should have.

There might be a saving in schoolbooks and in a few minor items.

Washington is the nucleus of that Greater Capital City we talk so much about, and which will some day become a reality. The environs of that greater Washington will be the territory from which the vast majority of these nonresident pupils now come. The parents of these children are nearly all workers in this city and spend their money here.

The Cramton bill should not affect pupils living within an area of 3 to 5 miles of the District line and whose parents or guardians are employed here. These are virtually District children.

Denying Maryland and Virginia children the right to study in District public schools is not in keeping with American ideals or with the pleas of educational pleaders that American children be given every opportunity to receive the best possible education at public expense. Many of those children now come into Washington with their parents, who are employed in this city and spend most of their money here. The parents may be actual citizens of Virginia or Maryland, but in business and other relations they are District people.

We are facing in this appropriation bill for the District of Columbia the same issue which was presented to this House on March 17 and 18, 1926, when the then appropriation bill for the District of Columbia was being considered, namely, an effort to destroy by limitations on an appropriation bill the purpose of existing law.

By an act of Congress approved March 3, 1915, it was provided that—

hereafter all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District.

By subsequent acts of Congress this privilege was extended to—

soldiers and sailors of the United States, not residents of the District of Columbia, who are at stations adjacent to the District of Columbia—

And to—

the children of officers and men of the United States Army and Navy stationed outside of the District of Columbia.

Many have approached the question of the admission of nonresident pupils to the schools of the District of Columbia under the impresison that all nonresidents are entitled to free tuition in the schools of the District of Columbia, and that the large number of such pupils in the schools of the District of Columbia is due to some neglect or fault on the part of the school authorities of the States of Maryland and Virginia.

Let me correct that impression so far as the State of Maryland is concerned by saying that almost all of the pupils from Maryland who are in the District schools are children of parents "employed officially or otherwise in the District of Columbia," and they are entitled to come here by reason of this law, which recognized that there was merit in the idea that the sons and daughters of parents "employed officially or otherwise in the District of Columbia," are entitled to special consideration. This law, the benefits of which will be destroyed unless my amendment is adopted, was intended to meet a situation where hundreds of poorly paid, if not underpaid, Government employees have been forced by the exigencies of high costs in Washington to move into Maryland and Virginia, where their living expenses are less burdensome. And it seems to me that such men and women should be allowed to send their children to the schools of the District, as well as those engaged unofficially in Washington. This privilege should continue until Maryland and Virginia can arrange to take care of the large influx of population which has settled in Maryland and Virginia near the border line of the District.

If this paragraph of the bill remains, then not only will the children of parents employed officially or otherwise in the District of Columbia be barred, but the inhibition will extend to the children of officers and men of the United States Army and Navy stationed outside of the District of Columbia and to soldiers and sailors of the United States not residents of the District of Columbia who are on duty at stations adjacent to the District of Columbia. Provisions were made to take care of such men and children in various appropriation bills, and in some respect the legislation became permanent, as the word "hereafter" was used.

A mere statement of this situation shows the unwisdom of attempting in an appropriation bill, under the guise of limitations on an appropriation, to change existing law.

I want to disabuse the minds of the members of this committee of the thought that Maryland is not doing its part in trying to meet this situation. May I say, without boastfulness, that my State has in the past few years made two notable contributions to civic progress. She leads the States of the Union in the construction of good roads, and has advanced within a few years from a low plane in public-school facilities and educational advantages until to-day she stands high among the States of the Union in this respect.

It will be admitted, however, that this large influx of population into the State of Maryland, near the District line, has presented a problem which can only be met by an orderly and gradual development of our school facilities, especially when you ladies and gentlemen realize that all school facilities radiate from the county seats of the various counties and the seats of local governments are a considerable distance from Washington. This situation is being met as rapidly as possible, and I plead for tolerance and understanding as against arbitrary and drastic action, and in doing so, I plead for the young men and boys, the men and women of the morrow, who are entitled to and should receive an education. The situation to which I have referred is being met and the number of nonresident pupils is being reduced in a marked degree.

In the committee report on the appropriation bill for the District of Columbia for the fiscal year ending June 30, 1927, it was stated that out of a total of 70,000 pupils, in attendance at the public schools of the District of Columbia, 3,072 were nonresidents. According to the committee report on the bill under consideration, making appropriations for the fiscal year 1929, the number of nonresident pupils in all schools, day schools, night schools, and vacation schools, is 2,582, or a reduction of about 500 pupils. Of this number—2,582—57 paid tuition. Page 393 of the committee hearing. The total enrollment is about

72,000. Hundreds of parents of these nonresident pupils are but temporary residents of Maryland and Virginia, and many of them still retain their legal residence in the States from whence they came and where they participate in the elections. Being employed here in Washington they spend most of their money here and in this way contribute toward the taxable basis of the city. Let me say that the shoe does not pinch one foot only. We in Maryland have tried to meet this unusual situation in a broad spirit of reciprocity, and have welcomed to our schools the children of parents who reside in the District of Columbia, when the convenience of our schools made it desirable that such children come to us, and we have done this without exacting any tuition.

I have before me a letter from the superintendent of the public schools of Prince Georges County, which is contiguous to the District, in which the statement is made that they have in the Prince Georges County schools 258 pupils whose parents are either residents of the District of Columbia or are on reservations of the United States Government.

There is a striking statement made by this superintendent who says that of 10,500 pupils enrolled in the public schools of Prince Georges County it is "estimated that fully one-fourth of the pupils attending Prince Georges schools are the children of parents who work in Washington and consequently pay their business tax direct or indirect in that city," and he might have added do most of their trading and buying in the city of Washington. During the past six years Prince Georges County has built between 40 to 50 new school buildings in order to take care of the school situation.

The superintendent of schools of Montgomery County informs me that there are 106 pupils attending the schools in that county whose parents reside in the District of Columbia, and no tuition is charged for these pupils.

In Anne Arundel County, where the Naval Academy is located and where there is a large Army camp at Camp Meade, the number of nonresident pupils is 157, so that in three counties alone, Maryland is educating without cost to the parents, 521 pupils who may be termed nonresidents.

The provision of the bill which my amendment will strike out is drawn with great skill and artfulness, in that there is nothing to deprive a Member of Congress who receives $10,000 a year and who is a dweller in Washington, from sending his children to the public schools here free of charge, while the poor Government clerk drawing a meager and hardly a living wage, may not have that privilege, because forsooth he has made the fatal mistake of going to Maryland or Virginia where the living is cheaper.

It is estimated by the gentleman from Illinois [Mr. HOLADAY], a member of the Committee on Appropriations for the District of Columbia, that there are 224 children attending the public schools of the District whose parents are either Members of Congress or secretaries to the Members; and, of course, there is not 10 per cent of the Members of Congress who pay taxes in the District. It may be that Members of Congress may be indifferent to my amendment, so long as they stand in a preferred class, so far as their children are concerned.

Why not let this question come before the House as a legislative proposition, unrelated to an appropriation bill, as would be the case if the Cramton bill was taken up for consideration? That bill is designed to close the District schools to all nonresident pupils. If he would take the subject up in this way, then the matter might be determined independent of all other questions; but this course would not satisfy the avaricious and powerful Committee on Appropriations, which intoxicated with power seeks not only to appropriate but to legislate under the guise of a limitation on an appropriation bill.

In conclusion, I hope that you gentlemen will vote to support my amendment, and thereby allow this question to be decided some day upon its merits, unrelated to anything which is contained in an appropriation bill. I thank you for your attention. [Applause.]

Mr. HOLADAY. Mr. Chairman, we have in the District of Columbia 2,571 children who are residents of the States of Maryland and Virginia, who are attending school here in the District of Columbia. The schools in the District of Columbia are crowded. Some of the children are on half time. Some are in the portable buildings, and we are making an effort to provide adequate school facilities for all of the children of the District. If those 2,571 children were taken out of the schools, we would then have adequate facilities for the children of the District.

Everywhere throughout the United States school facilities are furnished by the residents and by the taxpayers of the particular school district. Considerable is said here about offering school facilities to the children of Maryland and Virginia. That question is not at issue. We all agree that adequate school facilities should be afforded not alone to the children of the District of Columbia but to the children of Maryland and Virginia. Much has been said about the Government clerks who live in Maryland and Virginia and who need school facilities. I agree with you, but I call attention to the fact that those poor Government clerks whom we hear so much about are now paying their taxes to the States of Maryland and Virginia, and on account of the payment of those taxes they are entitled to school facilities. Maryland and Virginia are taxing those people, and their money is going into the county treasuries of these adjoining counties, and those counties are not furnishing school facilities.

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

Mr. HOLADAY. Yes.

Mr. ABERNETHY. Will the gentleman tell us how many of those 2,500 children are children of Government employees or clerks?

Mr. HOLADAY. I do not have that information.

Mr. ABERNETHY. Does not the gentleman think that we ought to be a little liberal when we are dealing with the employees of the Government who are forced to go into Maryland and Virginia to live on account of cheaper conditions, because they are not paid enough to live in the District of Columbia?

Mr. HOLADAY. I am in favor of being exceedingly liberal with them, and when they are forced to go out there and pay taxes I am in favor of those communities and the organization receiving their taxes furnishing school facilities for which those people are paying. [Applause.]

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

Mr. HOLADAY. I yield.

Mr. HERSEY. I understand that the paragraph to be stricken out provides that those 2,500 who are already in the District schools shall remain. They are not excluded.

Mr. HOLADAY. The gentleman is entirely correct as to that. And on that point I may say, to the credit of those adjoining counties, that they are taking steps to provide school facilities for their children. In a letter which I have here from the school superintendent of Montgomery County he says, speaking of the county authorities of Montgomery County:

> County authorities have realized that the county will ultimately be called upon to furnish school facilities for the entire county school population, and we believe the money that has already been spent in this direction in Montgomery County has put this county in position to be able to nearly accommodate its entire school population. It is generally believed that the within-described policy of school construction and maintenance will be continued.

Now, listen to this.

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

Mr. HOLADAY. Mr. Chairman, I ask for an additional 10 minutes.

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

There was no objection.

Mr. HOLADAY. I read:

> We believe that within a reasonable period of years the county school plants could accommodate all county children, but should the District schools be quickly closed to our children we estimate that they would be inconvenienced to about the extent of the figures of this estimate.

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

Mr. HOLADAY. Yes.

Mr. GIFFORD. I asked the question the other day, and I want to ask it again. The paragraph under discussion reads:

> No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the instruction of pupils who dwell outside the District of Columbia—

And so forth. Does the gentleman know of any place in the United States where, if they will pay tuition, pupils will not be admitted to the schools of that town? Is it not true that because of a lack of legislation we are in a position where, if we had no tuition charges, we would be in a worse position than any town we know of that would not allow pupils by the payment of tuition to come to school?

Mr. HOLADAY. Whether or not they permit them to come in from other districts is largely dependent on the question whether or not they are able to accommodate them. I have never known of a district that will accept pupils from outside districts when they do not have adequate accommodations for their own children.

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

Mr. HOLADAY. Yes.

Mr. GOLDSBOROUGH. I will state to the gentleman on that point that the State of Maryland not only admits children from adjoining counties but also admits children to its school facilities from the adjoining State of Delaware.

Mr. HOLADAY. Not free. They pay.

Mr. GOLDSBOROUGH. No; they do not pay a dollar.

Mr. HOLADAY. I believe before this matter is concluded that the gentleman will have opportunity to discuss that question.

Mr. GOLDSBOROUGH. And they take our children free also.

Mr. HOLADAY. Then there must be some reciprocity.

Mr. GOLDSBOROUGH. Yes.

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

Mr. HOLADAY. Yes.

Mr. ZIHLMAN. Does this include the children of Congressmen who dwell outside of the District?

Mr. HOLADAY. If they reside outside of the District they are included. They are on the same footing as the others.

Now, let us come back and see if we are reasonable in this. The county superintendent of Montgomery County in Maryland and in Judge MOORE's county in Virginia—Arlington County—in letters they have written agree in suggesting that they recognize the principle that they should furnish school facilities for their children. They say they are working on the problem and that in a few years they hope to take care of all the children.

Now, let us see if we are reasonable. We provide that any child who is in school in the District when this act takes effect shall have the privilege of continuing his course through our schools and through the high school, so that if this amendment is defeated it will be 11 years before these children are all out of the District schools. Is not that reasonable? Is not that fair to Maryland and to Virginia? We put that provision in for two reasons: First, we wanted to be fair to Maryland and Virginia; and then there is the secondary reason that where a pupil has started in to school and perhaps has gone on to the high school for a year or two and has become interested in the activities of the school he naturally would prefer to continue in the school. So we have put that provision in.

Mr. LINTHICUM. The gentleman will remember that two days ago when we discussed this question it was stated by the chairman of the subcommittee, the gentleman from Nebraska [Mr. SIMMONS], that he had a letter from the county superintendent of Montgomery County saying he agreed to the proposition as set forth in this bill. Is that the letter he referred to? I ask that question because it does not in any part agree with statements made. Has the gentleman any letter showing that the county superintendent agrees to this proposition?

Mr. HOLADAY. I have read it to you.

Mr. LINTHICUM. He says they wanted to get ready in the future, but he does not agree to this amendment.

Mr. HOLADAY. The superintendent realizes that the county will ultimately be called upon to furnish school facilities. That is what he says. Then he says:

> We believe that within a reasonable period of years the county school plants will accommodate all the children.

Now, we are giving them 11 years.

Mr. CASEY. What is meant by a reasonable number of years? That does not mean the day this bill is signed, does it?

Mr. HOLADAY. That is a matter of discussion. He says: "Within a reasonable period of years." Now, we are placing this construction on his "reasonable period of years" by providing 11 years. I do not know whether the superintendent would consider that reasonable or not.

Mr. CASEY. That applies only to those children who are now in the District schools. But how about those who become of school age next September?

Mr. HOLADAY. They are able to take care of them.

Mr. CASEY. Where?

Mr. HOLADAY. In their own schools.

Mr. CASEY. Have we any information that that is the fact?

Mr. HOLADAY. I think the full information on the subject shows that they are able, and will be able, to take care of their children under this provision.

Now, let me say this in conclusion—and I want to address my remarks particularly to the gentlemen from Maryland: I fully agree with the president of your university that the State of Maryland should not be called upon to furnish educational facilities for the residents of the District of Columbia. I fully agree with the president, and I have already introduced a bill which would provide for the payment of tuition by the District of Columbia to Maryland if the residents of the District of Columbia go to the University of Virginia or to the University of Maryland. We are in entire accord on that proposition.

Mr. LINTHICUM. Will the gentleman yield?

Mr. HOLADAY. I yield.

Mr. LINTHICUM. The gentleman will notice in the hearings that, according to the estimate of the District of Columbia, there is $470,000,000 worth of Government property in the District, and the gentleman from Pennsylvania [Mr. CASEY] brought out in the hearings the fact that at $1.70 that would come to approximately $8,000,000. We are giving them $9,000,000, so why do you always say the District of Columbia? Is not Uncle Sam giving them $1,000,000 more than they could possibly get if they assessed him at $1.70, besides all the other advantages?

Mr. HOLADAY. I think Uncle Sam is very liberal with the District of Columbia.

Mr. LINTHICUM. Then why should not the District be liberal toward the children of his employees?

Mr. HOLADAY. But we come back to this proposition: The States of Maryland and Virginia are not entitled to any better or any different treatment than are any other States.

Mr. SIMMONS. Will the gentleman yield?

Mr. HOLADAY. Yes.

Mr. SIMMONS. The argument of the gentleman from Maryland, I take it, is this: Because the United States contributes to the support of the District of Columbia, therefore Maryland ought to have the full benefit of the contribution of the United States.

Mr. HOLADAY. That would be the conclusion to be drawn from his argument.

Mr. LINTHICUM. No. My contention is that Uncle Sam ought to educate the children of his employees in the District of Columbia just the same as he educates the children in any fort or camp in the country, where he erects schools and educates the children.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. HOLADAY. Yes.

Mr. BRAND of Georgia. What is it estimated the cost will be if this proposition prevails to allow these children to come to school in the District of Columbia? How much is it estimated the extra cost will be?

Mr. HOLADAY. Well, there are 2,571 children. But I am not able to give at this minute the average per capita cost.

Mr. BRAND of Georgia. Approximately how much would be the increased cost if they were allowed to come here to school?

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

Mr. HOLADAY. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

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

There was no objection.

Mr. HOLADAY. I am not able to answer that question.

Mr. LINTHICUM. I can say that the total sum is $223,000 plus, but they get about $5,700 from paid tuition, leaving a balance of $217,000 plus.

Mr. BRAND of Georgia. Per year?

Mr. LINTHICUM. Per year; yes.

Mr. HOLADAY. Now, gentlemen, in conclusion, there is one phase of this that has not been especially discussed, and that is this: There is a demand from the residents of Maryland that they have these school facilities. The clerks you talk about have come to me, and they say, "We are paying taxes into the school fund, and we believe we should have school facilities at home, so that we will not be required to send our children on the street cars and on the busses into Washington." Sometimes the parent of a small child is compelled to go with it. Now, the man who is wealthy and who has his great country place out there, with his machine and with his chauffeur, can send his children into Washington without any particular trouble, but the man who has been talked about here this afternoon, the laboring man and the Government clerk, is entitled to have schools to which he can send his children without the payment of car fare.

Mr. ABERNETHY. Will the gentleman yield?

Mr. HOLADAY. Yes.

Mr. ABERNETHY. Does the gentleman think that by cutting him off here you can force Maryland and Virginia to give those facilities to him?

Mr. HOLADAY. I am absolutely sure of it; they promise they will do it; they claim they are doing it; and I am willing to admit that to a great extent they have already done it.

Mr. WELSH of Pennsylvania. Will the gentleman yield?

Mr. HOLADAY. Yes.

Mr. WELSH of Pennsylvania. Does the gentleman believe, from the testimony which was brought out before the commit-

tee, that if the city of Washington had representative government and had to assume all of this expense from taxation that the present condition would endure for six months?

Mr. HOLADAY. No; I do not think it would endure for 60 days. If the city of Washington had to pay the entire bill, it would do just exactly what Maryland and other States of the Union are doing—it would require nonresidents to pay tuition.

Mr. MONTAGUE. But under those conditions the city of Washington would not be getting $9,000,000 from the United States.

Mr. HOLADAY. No; they would be paying their own bills.

Mr. MOORE of Virginia. Mr. Chairman——

Mr. BLANTON. Mr. Chairman, before the gentleman from Virginia begins I make the point of order that we have no quorum. We ought to have a quorum here to vote on this matter.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty Members are present, a quorum.

Mr. MOORE of Virginia. Mr. Chairman, the gentleman from Maryland [Mr. GAMBRILL] has stated the case so fully that there is not a great deal left to be said, but I would like to make a few observations and particularly with reference to the Virginia end of the case.

All of this area from which the school children come into the District of Columbia, or nearly all of it, is what is called the metropolitan area adjacent to the District of Columbia, which of itself creates an exceptional condition.

Now, let me give, to use the language of my unemotional friend from Michigan [Mr. KETCHAM], a few cold facts. The last figures show that the number of children coming in from Virginia, including the day pupils, the night pupils, and the pupils in the vocational schools, is 620. That is the full number—a less number than heretofore—enjoying the advantages of the schools of Washington.

When an Army officer lives in Washington his children are permitted to enter the schools of the District of Columbia. When a citizen of Nebraska or Texas lives in Washington, like permission is granted him, but if an Army officer or a citizen of Nebraska or of Texas lives just across the line in the metropolitan area outside the District of Columbia that permission is to be denied his children. Now, is there any equity in that, and is it not very premature to undertake to upset what has been the policy heretofore?

I venture to say that of these 600 children who come in from Virginia, a very large percentage of them are the children of the officers and enlisted men at the military posts in my State near to Washington.

Mr. SIMMONS. Will the gentleman yield?

Mr. MOORE of Virginia. Yes, sir.

Mr. SIMMONS. Is the gentleman prepared to say what that percentage is?

Mr. MOORE of Virginia. No; and the committee does not tell me.

Mr. SIMMONS. Would the gentleman like to know?

Mr. MOORE of Virginia. Yes; I am willing to have the information.

Mr. SIMMONS. The gentleman stated there are over 600 Virginia children in the District of Columbia schools and a large percentage of such children are the children of Army and marine officers. The large percentage to which the gentleman refers is 52 from Fort Myer and 11 from Camp Humphreys, or a total of 63 out of over 600.

Mr. MOORE of Virginia. And how many from Quantico?

Mr. SIMMONS. I beg the gentleman's pardon. There are 9 or 10 from Quantico and none from Humphreys.

Mr. MOORE of Virginia. Then we have a percentage——

Mr. SIMMONS. Of less than 10 per cent of your total.

Mr. MOORE of Virginia. Wait one minute. Has the gentleman any figures to show how many who come in are children of parents who are not legal residents of the State of Virginia and pay nothing to the support of the Virginia government, not even a capitation tax, but live in other States and are accredited to other States?

Mr. SIMMONS. The gentleman assumes if they live in the State of Virginia they are either living in property which they own or in property for which they pay rent; is not that true?

Mr. MOORE of Virginia. It may be true or it may not. They may live in an apartment house.

Mr. SIMMONS. Then the taxes on that property are included as a part of the rent. This is a tax matter now and not a question of legal residence.

Mr. MOORE of Virginia. Then I meet the gentleman there and I say that the reservations in Virginia to which I have referred are owned by the Government of the United States and the taxable capacity of Virginia is diminished to that extent.

Mr. SIMMONS. The gentleman is jumping from one thing to another.

Mr. MOORE of Virginia. I am talking about taxation.

Mr. SIMMONS. Very well; I would like to have the gentlemen keep talking about the thing on which I based my statement.

Mr. MOORE of Virginia. The gentleman is talking about people who pay taxes to a very slight extent to the State of Virginia and I am saying there is a Government ownership which is undeniable involving the withdrawal from taxation in Virginia a considerable part of the real estate in the counties to which we have reference.

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

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Only this morning I had a communication from the War Department speaking of 2,000 acres of land lying in this metropolitan area on the highway between Washington and Richmond which the Government has permitted the Secretary to sell, but the Secretary has reached the conclusion he will not sell it; and for an indefinite period not one cent of revenue will go into the coffers of the State of Virginia or any subdivision of the State of Virginia from that property.

Mr. MADDEN. That is Camp Humphrey?

Mr. MOORE of Virginia. Camp Humphrey; yes.

Mr. MADDEN. There was a tremendous price paid for that property during the war, and roads were built at the expense of the Government down there in order to get to it, and all of this money came out of the Treasury of the United States.

Mr. MOORE of Virginia. That may be. The gentleman helped to spend that money; I did not. I was not here, and without regard to that, the fact I have stated remains with respect to Camp Humphrey and with respect to the reservations in question.

Now, is it not a pretty small thing to say that a man holding office, and a legal resident of the State of Nebraska, living in Virginia, who pays nothing or a mere bagatelle in the way of revenue to the State of Virginia or the county of Arlington, shall be denied access to the schools of Washington for his children although the Nebraskan who lives in Washington is allowed access to the schools?

Mr. GOLDSBOROUGH. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. GOLDSBOROUGH. Can the gentleman tell the committee how many children from the Government reservation at Fortress Monroe attend the schools of Virginia without any charge?

Mr. MOORE of Virginia. I was coming to that. There is talk about the State of Virginia being here as if a supplicant. The State of Virginia is not in any such position, and I do not intend it shall be. There is talk about denying to the children of the State, to the extent of some 600 children, the right to education here. What on the other hand? Looking at the country around Hampton Roads, and my colleague the gentleman from Virginia [Mr. DEAL] will verify what I am now stating, there are at least 10,000 employees of the Government of the United States there who are too far away from here to come to the District schools, and they attend the schools of the State of Virginia, and without any objection. They are living there only temporarily. There are officers who live there for a day and may be removed to-morrow, and the men on the ships in Hampton Roads send their children to the schools of the State of Virginia, and we have not thought of making any objection to that condition.

Mr. SIMMONS. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. SIMMONS. We could relieve that situation by removing the Government activities from those places. Would the gentleman favor that?

Mr. MOORE of Virginia. Oh, that is a very specious suggestion. It would be necessary to remove Hampton Roads also, because there is not any harbor with equal facilities in the United States as Hampton Roads.

Mr. MONTAGUE. We could relieve Washington of some of its activities and meet the situation in that way.

Mr. MOORE of Virginia. Yes.

I have barely outlined the situation, and I submit we have rather a picayune proposition here, with great deference and respect to the committee which sponsors it.

My friend has referred to a letter received from the superintendent of schools in Arlington County. That official writes me saying they are making every exertion over there to provide for the children, but that the overflow is constantly occurring. New people are coming into that section, many of them nonresidents of Virginia in a legal sense, who are on the Government pay rolls. He says there is such a constant influx that, all be it there have been constructed in the last four years 16 new schoolhouses, 2 of them graded schools with 40 classrooms each, there is present inability to take care of the congestion. We are told, as the gentleman from Pennsylvania [Mr. CASEY] said a moment ago, that while those who are now in the schools can remain, the little tots are not to be permitted to come in.

Mr. HOLADAY. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. HOLADAY. Does the gentleman recognize that his State has any obligation to these little tots to furnish them school facilities?

Mr. MOORE of Virginia. Yes; and we are doing it. But it is difficult. In the Hampton Roads area it is equally difficult to take care of the children of the thousands of Government employees in that neighborhood. But yet it is fairly well done.

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

Mr. SIMMONS. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes.

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

There was no objection.

Mr. SIMMONS. Mr. Chairman and gentlemen, in this discussion I wish we could recognize one fact, and that is that the District of Columbia is a distinct municipal entity, and so far as its schools are concerned it is not a part of the Federal Government. We have been having an argument here on the part of Maryland and Virginia people in which they are demanding, not the privilege but the right, of coming into the schools of the District, a separate jurisdiction, and sending their children to these schools free of charge.

You have heard the plea of my good friend from Virginia [Mr. MOORE]. I wanted to find out what the people of Alexandria thought on the subject. He is asking as a matter of right that the children of Arlington County shall go to the schools in the District of Columbia free of charge.

I have a telegram from the county superintendent of Alexandria, and he says this:

> We charge tuition to nonresidents, from other counties or States, who send children to our schools, unless they are children of soldiers. Children in the District of Columbia would be obliged to pay tuition. We have more than 100 children in our schools where tuition is paid either by counties or by individuals. Tuition rate is $35 per school year in grades and $60 in high schools.

In other words, the gentleman from Virginia, Judge MOORE, comes here and asks as a matter of right that Arlington County children come to the District of Columbia schools free of charge, when that county says that they would charge children from the District of Columbia tuition if they went to school in that county.

I have another telegram. I wanted to find out what they did in the capital of the gentleman's State. I telegraphed the county superintendent of schools at Richmond and got this answer:

> Pupils whose parents live beyond our city limits pay $90 for high schools and $58 for elementary tuition per session. We have 322 nonresidents, of whom 111 are in high schools.

That, I will say to the gentleman from Virginia, is from his State capital.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. MOORE of Virginia. The first telegram was from Alexandria city and not Arlington County, which is more seriously involved. The second telegram was from Richmond city. Now, the charges spoken of in those telegrams are made by a particular locality against another locality in the same State, and so it becomes really a matter of bookkeeping.

Mr. SIMMONS. The telegram from Alexandria says, "We charge tuition to nonresidents from other counties or States."

Mr. MOORE of Virginia. And what I am telling the gentleman is that the so-called nonresidents are pupils that come in from Arlington County or some county, another political subdivision of Virginia——

Mr. SIMMONS. But the telegram says other counties or States—anybody outside of the city limits pays tuition.

Now, let us see about the situation in Baltimore.

Mr. RANKIN. Will the gentleman yield?

Mr. SIMMONS. Yes.

Mr. RANKIN. The gentleman in speaking about Richmond, Va., the State of Virginia does not put up 40 per cent toward the expenses of its capital.

Mr. MOORE of Virginia. No. But I would like my friend to figure how much the State of Virginia helps the people employed by the Government of the United States at Hampton Roads, where there are at least 10,000 people in the service of the Government.

Mr. SIMMONS. If there is any inequality at Hampton Roads I am certain that the gentleman from Virginia is very able in his representation of the people, and he can see to it that the inequality is corrected.

Let me come to the gentleman who comes from Maryland. Maryland has approximately 2,000 children in the District of Columbia schools, without paying a dollar of tuition, and these gentlemen demand that privilege as a matter of right. Let us see what happens in the great city of Baltimore.

Mr. GAMBRILL. Mr. Chairman, will the gentleman yield for an interruption?

Mr. SIMMONS. Yes, sir.

Mr. GAMBRILL. The number is about 1,700 and not 2,000, as shown by the statement.

Mr. SIMMONS. About 1,700 in the day schools and then you have some in the vocational schools and some in the night schools. This telegram comes from the county superintendent of schools in the gentleman's fair city of Baltimore.

Mr. LINTHICUM. We have a city superintendent of schools. We are not in any county.

Mr. SIMMONS. You have two men up there anyway and one of them signs as county superintendent.

Mr. LINTHICUM. That is Baltimore County. The city of Baltimore is like the city of St. Louis. We have our own incorporation and we are not in any county.

Mr. MADDEN. Have you got one from the State superintendent? Perhaps that would satisfy the gentleman.

Mr. SIMMONS. The gentleman from Maryland [Mr. LINTHICUM] evidently does not know that they have a county superintendent. This telegram says:

> We would require tuition from Washington children to attend school in our county.

That is from the county superintendent of schools of Baltimore. Here is one from the city superintendent:

> Nonresidents paying tuition in Baltimore City, 338; approximate amount collected 1927–28 scholastic year, $33,393.62.

Now get this, and this is Baltimore:

> All children outside of the city must pay tuition. Rates per annum: Elementary schools, $75; junior high, $95; senior high, $150; polytechnic institute and vocational schools, $175.

That is signed by David E. Weglein.

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

Mr. SIMMONS. Yes, sir.

Mr. LINTHICUM. That is correct.

Mr. MADDEN. I suppose the gentleman from Maryland does not know this man.

Mr. LINTHICUM. Of course I do.

Mr. SIMMONS. Then it is correct that Baltimore would charge for Washington children, and yet the gentleman is demanding that we let Maryland children come in here free.

Mr. LINTHICUM. I will answer that in a moment.

Mr. SIMMONS. I want to go on and read some more telegrams.

Mr. LINTHICUM. Will not the gentleman yield for a moment?

Mr. SIMMONS. I want to read some more Maryland telegrams.

Mr. LINTHICUM. Oh, the gentleman will have plenty of time to read them.

The CHAIRMAN. The gentleman declines to yield.

Mr. SIMMONS. Just a moment until I finish reading these Maryland telegrams.

Mr. LINTHICUM rose.

Mr. MADDEN. Mr. Chairman, I demand that the gentleman from Nebraska be protected and be not interrupted.

Mr. LINTHICUM. It is not unusual for the gentleman from Illinois to be demanding something.

Mr. SIMMONS. Here is one from Centerville, Md. That is one of these suburban counties, outside of the city of Balti-

more. I wanted to find out how the gentleman's fair city of Baltimore treated these suburban folks. Here it is:

Five children attending Baltimore public schools. They pay full rate for nonresident pupils. Don't know the amount of the tuition. Pupils have to pay tuition to us not residing in our county. The rate is the average cost of instruction as figured by State of Maryland. This applies to all counties of Maryland. Nonresident pupils are not admitted free of charge.

That is signed by T. G. Bennett, superintendent of schools.

In western Maryland is a city called Cumberland, and from that city comes the distinguished chairman of the Committee on the District of Columbia, Mr. ZIHLMAN. Mr. ZIHLMAN is one of those who believes that Washington should furnish education free of charge to the people of his district in Maryland. I wanted to find out what they do up in his city, and here is what they do there:

All nonresident pupils, without regard to where they are from, pay in advance. Elementary, $3 per month; high school, $5 per month. Some adjoining sections insist on paying us absolute average per pupil cost.

That is in Mr. ZIHLMAN'S city.

Mr. MADDEN. I think that is terrible. [Laughter.]

Mr. SIMMONS. And they make them pay in advance up there. Just across, south of that fair city of Cumberland, is Keyser, W. Va. I figured that they might have some children over in the gentleman's territory, because it adjoins that—the river is between them. So I wired the superintendent of schools there, and he wired back:

Twenty-five or thirty high-school students from Mineral County in Cumberland schools; tuition about $9.60 per month.

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

Mr. SIMMONS. Yes, sir. I am through with Maryland now.

Mr. GAMBRILL. It seems to me that in his efforts to secure information the gentleman was covering entirely too much territory. Why did he not confine his activities to the two counties involved, Montgomery and Prince Georges County? Those are the counties that educate the District of Columbia children without any tuition charges, and there is where the reciprocity exists, not in Baltimore city or in Allegheny County or in Garrett County, in the western part of the State.

Mr. LINTHICUM rose.

Mr. SIMMONS. Oh, let me answer one gentleman at a time. I did not intend to slight the fair city of Laurel. I wired your superintendent yesterday and again this morning, but I could not get him to answer.

Mr. GAMBRILL. He is not located at Laurel.

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

Mr. SIMMONS. Does the gentleman want to explain these telegrams from Baltimore? Are the telegrams correct? Do you have a county superintendent of schools in Baltimore?

Mr. LINTHICUM. We are not in a county. We have Baltimore City and Baltimore County, entirely separate entities.

Mr. SIMMONS. Then, who is this gentleman who signs himself county superintendent?

Mr. LINTHICUM. That is Baltimore County.

Mr. MADDEN. Is Baltimore City in Baltimore County?

Mr. LINTHICUM. It is not in any county. It is just like this city and like St. Louis. In that respect they differ from other cities.

If a man owns property in Baltimore city and lives anywhere in the State or in the District of Columbia and pays school taxes in Baltimore city, that school tax is subtracted from the tuition, and he only pays the difference; and a man may live in Montgomery County and own property here in the District of Columbia, and under the gentleman's amendment his child would have to keep out.

Mr. SIMMONS. Yes; and there has never been a more unfair proposition submitted to this Congress than that. If a rich man lives in Baltimore or outside of it, he can send his children to school in Baltimore, and the man outside who does not own city property has to pay tuition. That is the situation some propose here in Washington.

Now, I want to get away from Baltimore and Maryland and wander a little far afield. We have in this House a good friend of mine, the gentleman from Michigan, JOHN KETCHAM. JOHN thinks we ought to let children from the outside come to our schools in Washington free of charge. I wanted to know what they do in his city. I have here a telegram from D. A. Vanbuskirk, superintendent of schools of the town of Hastings, Mich., in which he says:

We have 227 nonresident children. Each child has to pay $75 tuition; $15 to be paid by child, $60 to be paid by district. Children from District of Columbia would have to pay tuition.

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

Mr. SIMMONS. Yes, sir.

Mr. MONTAGUE. Does the gentleman think those cases are analogous? Does the United States help to maintain the schools where the gentleman from Michigan resides?

Mr. SIMMONS. I think not.

Mr. MONTAGUE. The gentleman concedes that?

Mr. SIMMONS. Yes; I will concede that. But I will not concede this, that because Maryland and Virginia are contiguous to the District of Columbia you are entitled to rights in the schools here that citizens of other States do not have, or that men from Virginia or Maryland have the right to send their children to school in the District and educate their children here free of charge.

Mr. MONTAGUE. But you discriminate. When you are speaking of the equalization of equities I may mention an illustration. We have in the State of Virginia a great many posts and reservations, Army, Marine Corps, Navy, and other posts, representing a total population of about 12,000 or 15,000. All the children of that population enter the free public schools of the State of Virginia without the payment of any tax, so that Virginia is taking care of far more people of the United States than the United States is taking care of Virginia's.

Mr. MADDEN. Is not that true of every State?

Mr. MONTAGUE. I think not, for in some of the States there are not so many Government reservations. I am explaining the way it equalizes the justice of the situation. Why should 600 pupils from the State of Virginia be held up here on the ground that we are trying to rob the Federal Government when we are doing far more in Virginia for the children of United States soldiers, sailors, and employees of the Government?

Mr. SIMMONS. Now we are asking here for justice to the District child and to the District taxpayer. That is all. We are simply asking for justice in that we do not want a District child to be turned out of the District schools by other children coming from outside jurisdictions to our schools for which the parent pays nothing.

Now, they talk about these border outlying districts. Let us see where the worst crowded condition is in the District schools to-day. It is out in Chevy Chase; and if anybody thinks that Chevy Chase and its near vicinity is a pauper place of residence, they ought to go out there and look around a little.

We are not asking that a child be taken out of the District schools who is in the schools now. Two years ago when this proposition was before the House men said, "SIMMONS, does it mean that next fall these children who are coming to school in Washington can not come?" The amendment we had two years ago meant that.

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

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

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

There was no objection.

Mr. SIMMONS. This year we are providing that every child in the District schools from Maryland and Virginia may remain. We are not shutting out a child. We are not denying the child now in the schools the right to continue, but we are saying to Maryland and Virginia, "Your people pay taxes in your jurisdiction, build your schools and take care of your increase from this time on." Now, that is the least hardship we can possibly do and correct this injustice.

Mr. KETCHAM. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. KETCHAM. Is it the purpose of the committee, if they may have their way about it, to carry that provision in continuing appropriation bills?

Mr. SIMMONS. Yes, sir; so far as I may influence the action of that committee.

Mr. KETCHAM. I understand, then, that this is to be the policy of the committee?

Mr. SIMMONS. I will tell the gentleman what I would like. I would like to see the gentleman from Maryland [Mr. ZIHLMAN], the chairman of the legislative committee, come in here and let us put a fair tuition law on the books, but they will not do it, and this is the only way we can get an average amount of justice for the District taxpayers and the District children.

Mr. ZIHLMAN. I will say that we have already legislated on the subject by refusing to pass any such law.

Mr. SIMMONS. The fact is that we now have 2,582 of these children in the District schools, nonresident children, and only 57 of them pay tuition.

Mr. ZIHLMAN. And that is under a law passed by Congress in the regular manner, while the Appropriations Committee, under the cloak of the Holman rule, is seeking to nullify that law.

Mr. SIMMONS. And your committee, under the power exercised over it by its chairman, will not permit a tuition law to be placed before the House.

Mr. ZIHLMAN. I do not think the gentleman should make that statement.

Mr. SIMMONS. I do make it.

Mr. ZIHLMAN. I made the statement that the matter was considered by a subcommittee, of which the gentleman from Illinois [Mr. REID] was the chairman, and after hearing the gentleman from Michigan [Mr. CRAMTON] and hearing the testimony of others who were interested they unanimously reported on the bill unfavorably.

Mr. SIMMONS. And let me say that the Lee family testified, the family which owns property around the District border and is interested with the gentleman from Maryland in developing a suburban enterprise out there adjoining the District. They do not want to pay taxes. That family came in, with other men who are interested financially in the suburbs of Maryland, who want free schools in the District and low taxes in Maryland. They testified, and officials of the Parent-Teachers' Association testified, and some of them tell me that if they have another chance they will not testify as they did two years ago.

Mr. MADDEN. Will the gentleman permit me to interrupt him?

Mr. SIMMONS. Yes, sir.

Mr. MADDEN. The gentleman from Maryland said a moment ago that this law, to which he called our attention, was passed as the result of a study made by the gentleman from Illinois [Mr. REID], a member of the committee.

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

Mr. MADDEN. I want to say to the gentleman and to the House that there is not a place in Illinois where by any chance a child can go to a school other than that to which it has been assigned, no matter how much of a tax may be paid by the parents. If children are assigned to a particular school and if they go to another school than the school to which they have been assigned, then, even though the parents may be the biggest taxpayers in the township, they are obliged to pay tuition at the rate of $100 per year for each child.

Mr. KETCHAM. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. KETCHAM. In response to my question the gentleman said a moment ago that, so far as he had anything to do with it, the policy, in the form that it now appears in the amendment, will be the continuing policy?

Mr. SIMMONS. Yes, sir.

Mr. KETCHAM. And I understood him to say it means this: That no child of the 2,500 now enrolled during the whole of his school course will be denied the privileges of the schools in the District and will not be required to pay tuition?

Mr. SIMMONS. That is the purpose of it.

Mr. KETCHAM. I want to compliment the chairman upon his recognition of the justice of the fight I made in behalf of these children.

Mr. SIMMONS. That is the entire purpose. In other words, we do not want to do any injustice to Maryland and Virginia in this situation, and this proposal seems to be the only solution of the problem. The legislative committee will not act, but we want, in a period of 10 or 12 years, to take out of the District schools these children who ought to be going to school somewhere else and let the District children have the benefit of the District schools. I recognize, and the committee does, that there may be in the District schools children who have gone along in their grades and they may be upon the point of entering high school. We do not want to deny them that right. We want to allow those to go on who are now here, and we are not going to ask Virginia or Maryland to take care of them. Over a period of 10 or 12 years they can build their own schools and work out this situation properly.

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

Mr. SIMMONS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes in order to answer some of the questions.

Mr. BUSBY. Mr. Chairman, reserving the right to object, I want to ask if the gentleman is going to be liberal with those of us who are not on the committee and permit us to have a word to say about our impressions when we are not interested either as a member of the committee or as a Member from Maryland or from Virginia.

Mr. SIMMONS. Let me answer that without objection the gentleman from Maryland [Mr. GAMBRILL] opened this debate, using 35 minutes' time.

Mr. BUSBY. I have not opened it with anything. I am talking for myself.

Mr. SIMMONS. Very well; if the gentleman wants time. I hope we can bring this to a head some time. When we are through with this bill we are going to quit until Monday, men. Do not forget that. [Laughter.]

Mr. BUSBY. The gentleman is manager of the bill and I am asking the gentleman what his disposition will be toward being liberal with respect to time for those who are not on the committee.

Mr. SIMMONS. If the gentleman wants time I shall not object to it provided it is within reasonable limits.

Mr. LINTHICUM. I would also like to get a little time.

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

There was no objection.

Mr. SIMMONS. I promised to yield to the gentleman from Texas [Mr. GARRETT].

Mr. GARRETT of Texas. I want to ask the gentleman from Nebraska if the committee in its consideration of this question with respect to their opposition to children of Maryland and Virginia coming to the District schools took into consideration the wonderful luxury that the people in the District of Columbia enjoy in the good roads that we ride over in Virginia and in Maryland and for which we pay no taxes. [Applause.]

Mr. SIMMONS. Did the gentleman ever buy any gasoline in Maryland or Virginia?

Mr. GARRETT of Texas. I have bought it everywhere it is sold, I reckon.

Mr. SIMMONS. Then the gentleman paid taxes. [Laughter.]

Mr. LINTHICUM. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. LINTHICUM. The gentleman in all of his arguments continually says "we; we want to do this and we intend to do this," and so on. I would like to know whom the gentleman refers to as "we."

Mr. SIMMONS. I am referring to the committee.

Mr. LINTHICUM. The Appropriations Committee?

Mr. SIMMONS. Yes, sir.

Mr. LINTHICUM. Then it is the intention of the Committee on Appropriations, even though the gentleman from Maryland [Mr. ZIHLMAN] has stated there is a law on the books providing for these children, to limit the application of that law which Congress has already enacted, is that correct?

Mr. SIMMONS. That is what we are doing. In other words, the Congress at different times and through different efforts by different Members from Virginia and Maryland has opened the schools wide. Now we are trying to close the doors a bit so that the man who pays for the schools may have them for his children, and we think this is fair.

Mr. LINTHICUM. "We, the Appropriations Committee," intend to do that in spite of the fact that Congress has enacted laws to take care of these children. Is that correct?

Mr. SIMMONS. I have answered that once.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. SIMMONS. Yes.

Mr. CHINDBLOM. If the House adopts the proposal of the Committee on Appropriations, "we" hereafter will be the House.

Mr. SIMMONS. I take it so. [Laughter.]

Mr. CASEY. Mr. Chairman, I rise to speak in favor of the amendment of the gentleman from Maryland. [Applause.]

I want to say in explanation of my position as a member of the subcommittee who attended almost every hearing of the subcommittee on this and other questions that came before us, I had no knowledge that this provision was to be incorporated in the bill and come to the House with the recommendation of the subcommittee.

Mr. SIMMONS. Will the gentleman yield?

Mr. CASEY. Yes.

Mr. SIMMONS. I would like to call the gentleman's attention to the fact that at first the gentleman from Pennsylvania [Mr. WELSH] objected to this being done unless we would take care of and not cause any hardship to the children now in the District schools.

The gentleman was present at the meeting and stated he did not want to cause any hardship for the children then in the schools. No one on the committee desires to cause any hardship, and we drafted the amendment to meet the wishes of the gentleman and his colleague from Pennsylvania [Mr. WELSH].

Mr. CASEY. That may be the gentleman's opinion, but it is not the fact. We might just as well have an understanding

about this matter. Every letter and every telegram that has been read here to-day has been read because it was asked for by individuals and not by the subcommittee, and when they speak of "we" and the committee they do not speak for me as a member of the committee. [Applause.]

Mr. MADDEN. Will the gentleman yield?

Mr. CASEY. Yes.

Mr. MADDEN. Is it not competent for any Member to ask for information?

Mr. CASEY. Undoubtedly it is; but the gentleman has no right to say it represents the views of the committee when the committee has not seen them or heard them or know what they contain until they are read to the House.

Mr. MADDEN. The gentleman did not say that.

Mr. CASEY. The inference is there, even if the statement was not made.

Mr. MADDEN. The gentleman misunderstood it. The gentleman must be fair. He insists on other people being fair.

Mr. CASEY. I am; and it is unfair to me to misrepresent me on the floor of this House.

Mr. MADDEN. I rise in protest, Mr. Chairman.

Mr. CASEY. That is what I am trying to do—protest—and I am going to protest until I am protected in my rights.

Mr. MADDEN. The gentleman from Nebraska [Mr. SIMMONS] had the right to send out letters making inquiry as to what was done in other States.

Mr. GARRETT of Texas. A point of order, Mr. Chairman.

Mr. CASEY. I yielded for a question.

Mr. GARRETT of Texas. The gentleman from Illinois did not address the Chair and ask if the gentleman would yield.

Mr. MADDEN. Yes; I did.

Mr. GARRETT of Texas. Then the gentleman did not yield.

Mr. CASEY. I yielded to the gentleman for a question, not a speech.

Mr. MADDEN. I will not interrupt the gentleman, if the gentleman does not want to be interrupted; but I insist upon the gentleman from Nebraska [Mr. SIMMONS] being treated fairly.

The CHAIRMAN. The gentleman from Pennsylvania will proceed in order.

Mr. CASEY. And I hope the chairman of the Committee on Appropriations will see that I am also treated fairly. I am a member of his committee.

Mr. MADDEN. The gentleman has been treated fairly and he can not deny it.

Mr. CASEY. I am trying to do my duty here as I see it, and there is no one who is going to influence me or coerce me into agreeing to something I do not believe in.

Mr. MADDEN. Will the gentleman yield?

Mr. CASEY. Yes.

Mr. MADDEN. Does the gentleman deny he has been treated fairly?

Mr. CASEY. No; I do not deny it.

Now, let me say for the information of the members of the committee, I remember very distinctly that we went into this matter very thoroughly with the superintendent of public schools while testifying before our committee. The testimony will show that I asked the superintendent of schools if any investigation had ever been made into this matter, and he said no. I asked him if he did not think it would be more advantageous to all concerned if we have a joint investigation made into this matter by the school authorities of the District of Columbia, Maryland, and Virginia rather than to do something arbitrary when we had no definite information before us.

He said he thought that would be advisable; he also said he would make such an investigation so the committee may be in possession of all the facts. The hearings will show that I suggested that being done. No opposition was offered by any member of the subcommittee, and the understanding was that the superintendent of the public schools of the District of Columbia was to make the investigation and report his findings back to the subcommittee. Up to this very minute I have received no information from the superintendent of the public schools or the subcommittee that the superintendent had made an investigation into this matter and made a report.

Mr. SIMMONS. The superintendent reported back from Montgomery and Arlington Counties, and I sent the letters to the gentleman yesterday.

Mr. CASEY. Yesterday?

Mr. SIMMONS. The gentleman said he had not received any information up to this minute.

Mr. CASEY. When was this provision written into the bill? Mr. Chairman, I have no desire to be misunderstood in this matter, but I feel as a Member of this House and as a member of the subcommittee on District affairs that I have a duty to perform. I feel that the Members of this House look to me for certain information if I am able to give it to them, and I can not give it to them if I do not have it. The gentleman from Nebraska, chairman of the subcommittee, made a very fine speech in behalf of a tuition law. Almost all of his argument was in favor of a tuition law being passed by Congress. The unfairness of this whole proposition, in my judgment, is one that I opposed in committee in my remarks on the floor of the House yesterday, and I oppose it now; it shuts the doors of the public schools of the District of Columbia against the children who are not residents of the District of Columbia. I am in favor of a proper tuition law. This bill does not provide for tuition, this closes the doors and keeps the children out of the schools of the District of Columbia.

I do not think that is fair when parents want to send their children to the District of Columbia schools and are willing to pay tuition; I do not think it is fair for us to pass this law as it is written and close the doors of our schools to these children.

It may be that they are trying to force the gentleman from Maryland [Mr. ZIHLMAN], the chairman of the District Committee, to report out a tuition law. If that can be done, all right. But I do not think these children in Maryland and Virginia and other parts of the country should be compelled to suffer because the chairman of the District Committee can not be compelled to report out a bill providing for tuition.

That is not the fault of the children; that is the fault of the House of Representatives, because it permits the chairman of the committee to refuse to report a bill to the House when a majority of the committee orders it reported out. But do not blame the children for that. The House of Representatives should have control of the business of the House.

Mr. HOLADAY. Will the gentleman yield?

Mr. CASEY. Yes.

Mr. HOLADAY. Whatever may be the outcome of this amendment, the children will not suffer. The question is whether the taxpayers of the District will suffer or the taxpayers of Maryland and Virginia.

Mr. CASEY. That is the gentleman's opinion, but it does not meet with my views, because we have no information before us that will convince me that the States of Virginia and Maryland will be prepared on the 1st of next September to take care of the children who become of school age. That is the question that bothers me, and we have no information that justifies us in closing the doors of these schools of the District of Columbia against these children and keeping them from school for a year or two before the States of Maryland and Virginia are financially able, and before they can get the legislative machinery in action, to erect the necessary schools.

I do not have any information about it; I am in doubt; but I am going to resolve the doubt in the interest of the innocent children back in the States.

The hearings will show my attitude on this question, and my explanation to the House yesterday will show my attitude. I was led to believe that when a Member of this House is placed on a subcommittee and recommendations come to this House from that committee the members of the committee shall at least be consulted before provisions are written into a bill brought to the House carrying the recommendations of the committee.

Mr. LAGUARDIA. Mr. Chairman, I think this annual debate as to the children from Virginia and Maryland coming to schools in the District of Columbia is the smallest thing the House of Representatives indulges in. I have no children in the District of Columbia, and I do not come from Maryland or Virginia, but it seems to me that, conceding all of the facts and figures given by the gentleman from Nebraska—conceding every argument that was made—what of it? It is said that these children cost $250,000 a year, but that is an estimated cost on a per capita basis. It does not mean that if you withdraw those children from the schools you reduce the Budget by $250,000. Anyone who has had any experience in preparing budgets for public schools knows that. I do not believe that the school budget would be reduced even $10,000 if all these children were removed. Assuming it cost $250,000 a year, that is less than one one-hundredth of 1 per cent of the annual appropriation.

Assuming that it cost $250,000 a year, it is less than 10 cents a year for each income-tax payer of the United States. Instead of reading telegrams indicating a narrow policy in some parts of the country and seek to follow them, we should set a good example by establishing a generous, broad policy of a public-school system. Let us lead, if necessary, rather than follow two or three localities that, owing to local conditions, have adopted a sort of provincial attitude in dealing with children not actually living within their own townships. Why, in my city our annual budget for schools is $100,000,000.

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

Mr. LAGUARDIA. I come from a city that spends a hundred million dollars a year for schools. There is no city that spends as much in the whole world. We not only have a public and high school system, but we have Hunter College for girls, and then the College of the City of New York for boys, both recognized institutions of higher learning, and you will find children from every State in the United States who come to the city of New York and take up residence with some relative or even with strangers, who attend these institutions, and no question is asked. My State pays the largest proportion of the Government contribution that goes to pay for these schools here, and while I have received complaints about all sorts of expenditures, I have never received a complaint about the money spent for the schools of the District of Columbia. [Applause.] And I hardly believe anyone else has.

Why, the greatest monument to American progress is our public-school institution. [Applause.] That is our contribution to civilization. There is not anything like it in the world. Every large city, every metropolitan district, must go through what the District of Columbia is going through now, of taking children from the outlying districts and educating them until those outlying districts build themselves up into separate communities. That is not anything new. And because you pick a town here and there around the United States that has a very narrow policy of checking up on the school children in this way and requiring payment is no reason why the American Congress should establish that policy in the District of Columbia. Why, for a nation that spends $3,000,000,000 a year, that spends $650,000,000 annually on its Army and Navy, to take up the time of a whole day every year discussing whether or not you are going to keep a couple of hundred of children out of school because they live just beyond an imaginary line is an absurdity.

This matter will adjust itself. It will adjust itself—as these surrounding communities grow they will take care of their own children. In New York City we not only take in the children of Governors Island and Fort Wadsworth and Fort Totten and Fort Slocum but we have even sent our school-teachers into the military reservations and established schools there for them, all at the expense of New York City, and no one complains. I repeat that my city pays the greatest proportion of the taxes of this very expenditure and as far as my city is concerned, we do not object to the present policy, and I shall vote for the amendment.

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

Mr. LAGUARDIA. Yes.

Mr. STEVENSON. I direct the gentleman's attention to my idea of this, which he expressed a moment ago when he spoke of this being a metropolitan district. This is all one metropolitan district, the district of Washington. Imaginary lines do not make any difference.

Mr. LAGUARDIA. Exactly; and every large city is in the same situation. It seems to me unbecoming as national legislators to take a small, selfish attitude in this matter. It seems to be most unfitting to haggle over a small expenditure which really provides an enormous amount of good. I will close by repeating that even though these children were all taken out of the school the difference in the actual cost as reflected in the appropriation bill would not be even noticeable. The biggest thing in American life is our schools; let us treat it in a big way.

Mr. WELSH of Pennsylvania. Mr. Chairman and members of the committee, I did not want to inject myself into this debate, being quite content to let our chairman handle the subject, as he has handled it in a most satisfactory manner; but I could not help but be impressed with the remarks of the gentleman from New York [Mr. LAGUARDIA], who seemed to give the impression that we are dealing in small business when we spend a day discussing the question of the education of children. If there is any question that is greater or more important before the American people than the education of children, I have yet to find it out.

Mr. LAGUARDIA. Oh, the gentleman is misquoting me. I take just the reverse position.

Mr. GOLDSBOROUGH. Is that the way the gentleman from Pennsylvania understood the statement of the gentleman from New York [Mr. LAGUARDIA]?

Mr. WELSH of Pennsylvania. Yes.

Mr. LAGUARDIA. Oh, manifestly the gentleman is mistaken. He has misunderstood me entirely.

Mr. WELSH of Pennsylvania. We are not dealing with the mere question of sending children to school. When you are dealing with a question of justice in respect to placing the burden of taxation, you are dealing with a fundamental American problem. If this were a question that rested upon the mere right of children to education, you would find every member of this committee a unit in the desire to give to the children of the District of Columbia and of every State in the United States every possible opportunity for education. But we have here in the District of Columbia a citizenship that has no representation in the government of the city. Do not let us forget that as a matter of equity. In other words, there is no human tribunal that stands between the taxpayer in the District of Columbia and the plans and zeal of public officials except the Members of this Congress. We have our duty to perform to the people of the District of Columbia, and that was the duty that confronted the subcommittee. Every member of the subcommittee approached that question with a great deal of care. No member of that subcommittee had any preconceived ideas of what was an absolute right or an absolute wrong in connection with this problem. Realizing that the District of Columbia has no spokesman on the floor of the House, no one to speak a word for its citizenship when the question of taxation is concerned, some members of the committee wanted to say at once that the children from outside the District should be prohibited from entering the schools here. The gentleman from Pennsylvania [Mr. CASEY] and I did not like adopting that point of view. We felt that the children who were already in the schools would want to go ahead until the time came for them to graduate without having their term of instruction interrupted, and the whole committee finally compromised by saying that whatever was done ought not to include the children already in school. So the ultimate effect of this provision, if it should be adopted by the House, will be to carry forward for from 10 to 12 years, so that every child that is now in the schools of the District of Columbia shall have finished his course; and only the little children arriving at school age in these surrounding districts, in this metropolitan areas as it has been called, will be affected by this bill.

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

Mr. WELSH of Pennsylvania. Yes; I yield to the gentleman from Pennsylvania.

Mr. CASEY. I want to say to the House that the statement that the gentleman has just made, that the whole committee was a unit on the question of those now in the schools continuing through, is true. The only difference was as to this prohibition which closes the door to the children without knowing whether they have proper facilities in the places where they live.

Mr. WELSH of Pennsylvania. I will state to the committee that the action of the gentleman from Pennsylvania, at the outset was that he insisted on being a free lance, so far as relates to his attitude on this or any other subject. Before the subcommittee, so far as that is concerned, he was conceded that right, and I want, as a member of the subcommittee, to pay my tribute of respect and appreciation to him in the preparation of this bill. There has been no friction in our committee, and this little flurry that you have seen here to-day is the only ripple, and that is only on the surface.

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

Mr. WELSH of Pennsylvania. May I have five minutes more? I have not hitherto occupied much of the time of the House.

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

There was no objection.

Mr. WELSH of Pennsylvania. The gentleman from Virginia and the gentleman from Maryland have spoken of this being a metropolitan area. We have here a metropolitan area for purposes of police supervision, and purposes of sanitation, and health, and all those things that go with a metropolitan area; but when we deal with a metropolitan subject, you will find that every contiguous territory in that metropolitan area assumes its proportionate share of expense, whether it be a matter of sewers, or a matter of police, or whatever may be considered by that area as a subject pertaining to a strictly metropolitan area. The fact that persons of the District of Columbia are living near this metropolitan area in the city of Washington is no reason why the parents of children outside the city should be permitted to send their children here without paying their proportionate share of the cost. This is not a case where the children concerned are in any sense denied an opportunity for education. It is for us to say whether the taxpayers of Washington shall bear that burden in supporting children in the District schools sent from outside of the District.

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

Mr. WELSH of Pennsylvania. Yes.

Mr. HARRISON. Does not the United States Government contribute $9,000,000 to assist the taxpayers of the city of

Washington, and are not the people entitled to some consideration in these matters?

Mr. WELSH of Pennsylvania. Yes; that is true. That could not be disputed. But that does not prove that the District of Columbia citizens and taxpayers should bear the whole burden of responsibility for that proportionate share of taxation that the United States Government bears to the District of Columbia.

Mr. HARRISON. I will state further that the State of Virginia takes care of any number of children, the children of officers, soldiers, and employees of the Government without the slightest contribution from them to the taxes of the State.

Mr. WELSH of Pennsylvania. But the State of Virginia requires that those employees in the District of Columbia shall live within the confines of the school district which the children attend.

Mr. HARRISON. I want to call your attention to the fact that I have received a letter from an official board of the school district near Fort Monroe, in which it is stated that the children from the reservation from Fortress Monroe had so crowded their school facilities that they were scarcely able to function.

Mr. WELSH of Pennsylvania. I do not yield further. I just want to impress upon the members of the committee the fact that the subcommittee approached this question from every angle which has been mentioned on this floor. Everything you have discussed on the floor we discussed in the committee, and I think the members of this committee should understand that we consider this to be fair to the taxpayer in every respect, and if we think it fair all along the line, you can be assured that the surrounding districts will take care of the little tots and nobody will be hurt if we are fair, and whatever appeals to you as being fair I hope you will register in your vote, because there is no politics involved in this matter. [Applause.]

Mr. SIMMONS. Mr. Chairman, how many gentlemen desire to speak?

Mr. LINTHICUM. I would like to have five minutes.

Mr. BLANTON. And I would like to have five minutes.

Mr. SIMMONS. I ask unanimous consent, Mr. Chairman, that the debate on this amendment be limited to 35 minutes, to be controlled by the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. No. Just ask for 40 minutes.

The CHAIRMAN. The Chair understands that you can limit the debate to a certain time.

Mr. SIMMONS. Let it be 40 minutes.

Mr. LINTHICUM. Will not the gentleman from Nebraska say who shall receive that time? I would like to have 10 minutes.

Mr. SIMMONS. I move, Mr. Chairman, that the debate on this paragraph and all amendments thereto close in 40 minutes.

The CHAIRMAN. The gentleman from Nebraska moves that the debate on this paragraph and all amendments thereto close in 40 minutes. The question is on agreeing to that motion.

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

Mr. BLANTON. I ask for recognition for five minutes.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Chairman, all of this discussion has revolved around generalities. I want to give you some concrete facts as to just what it means to vote for this amendment. I happen to know a splendid Maryland family living in the town of Berwyn, Md., and voting there, a family who have lived there for years. They live in Berwyn because they have a comfortable home there. All their children have been educated here in the District of Columbia in the graded schools and in the Central High School to graduation, with their tuition furnished them free, paid for by the District people and the Federal Government; with their school books furnished them free, paid for by the District people and the Government; when there was a good school—as "good" means in that part of Maryland, right in Berwyn—but they did not choose to go to their own school in Berwyn. They chose to go to school in the District of Columbia. What duty do the District people owe them? None, because they pay not a dollar of tax here. They pay their taxes to the State of Maryland and to Berwyn. And what duty do the whole people of the United States owe them? None, so far as furnishing free tuition and free school books to their children, for the Government does not furnish same to the children in any other of the 48 States except Maryland and Virginia. The people in the other 46 States are taxed to send their own children to school. They should not be taxed also to help school the children of Maryland and of Virginia.

Mr. GAMBRILL. Will the gentleman yield?

Mr. BLANTON. In just a moment. The gentleman has consumed 25 minutes and I have not had any time.

Mr. GAMBRILL. I yielded to the gentleman.

Mr. BLANTON. I yield to my friend from Maryland.

Mr. GAMBRILL. Did the gentleman from Texas educate his children in the District schools?

Mr. BLANTON. Yes; partly.

Mr. GAMBRILL. And did it free of any tuition charges?

Mr. BLANTON. Just as other parents do who live here and pay their share of civic expenses, as I have done for 11 years. My official duties force me to live here 11 months per year, and on an average I have had to pay about $150 per month to get a house to live in, and I spend here over $200 per month additional for something to eat and wear. And I pay for my fuel, lights, water, telephone, gas, automobile upkeep, and domestic help, which money spent here as everywhere else, helps to keep up the city. Does the gentleman send his children here?

Mr. GAMBRILL. My children are not going to school here. They are going to school in the State of Maryland.

Mr. BLANTON. I am spending in Washington each year as great a proportion of my income as any other resident in the District of Columbia is doing, and the people I have paid my money to annually have paid much of same in taxes to the District.

I am thus helping the residents of this District, while I live here, to keep up their civic improvements, if you please, by paying the fixed charges the same as all other residents pay. And while my official duties force me to reside here, I live in Texas. All property such as I own in Texas pays school taxes. I have a little farm in Jones County, Texas. It is in the Lueders independent school district. I pay school taxes there, every single year I live, and have for 20 years, yet have never had a child in school there. When I wanted to send two boys of mine to a certain high school in the capital of the State, for special studies in Austin, I paid tuition for them there, just as all others who did not reside in that county were required to pay. I chose to send them there but I had to pay for it, even though I was paying a school tax in another county on my farm.

Mr. MONTAGUE. Did the State lose anything thereby?

Mr. BLANTON. No; because I paid for it myself, but that county would have lost if I hadn't paid for it. You take this family I speak of in Berwyn. They did not live in the District of Columbia, because they did not want to pay the high property prices here. They went to Berwyn because they could get a comfortable home with plenty of room much cheaper. They had an acre of ground there; they had a garden and orchard, and they kept a milk cow in Berwyn, but instead of paying their automobile license tags in Maryland, which would have cost as much as $12 for a Ford car, and more in proportion, they took out their license tags here in the District of Columbia, where they could get automobile tags for $1, looking both ways for saving their own money. But they paid all of their real estate and personal taxes in the State of Maryland, and to Maryland, yet they got free tuition and free school books for their children through the graded schools and through the Central High School of the District of Columbia, paid for by District residents and the Government of the United States.

I want to say it is not right for the people of the District of Columbia to bear this burden. It is not fair to them and it is not just to them to have them pay for their own children, and then pay for the children of Maryland and the State of Virginia. And it is not fair or just for our people back home to have to pay part of this schooling for Maryland and Virginia.

There are 2,571 children this year in the schools here who reside in Maryland and Virginia. Prior to this year there were about 3,000 from these two States. They have been cut down some this year, and this amendment is not drastic. Your committee has called your attention to the fact that it does not apply to a single one of the 2,571 children who are now in the District schools. They are all allowed to continue on to high-school graduation. It does not apply for 8, 10, or 12 years to come.

There is not a Member in this House who can give one just reason why the Washington people and the Government of the United States should furnish free tuition and free schoolbooks, and free school buildings for 2,571 children who reside in Maryland and Virginia, through kindergarten, through eight years of graded schools, and then through four years of high school, when many of their parents pay not one dollar of taxes to the District of Columbia, but pay all of their taxes, both real estate and personal, to the States of Maryland and Virginia. If we are to do this for Maryland and Virginia, we ought to offer the same identical privileges to all of the other 46 States in the Union, for whose school children our Government is not paying one red penny on their tuition, school buildings, and schoolbooks.

There are many of the parents of these 2,571 school children, who own magnificent country estates in both Maryland and

Virginia, and who have no connection whatever with the Government, or with Washington. And I could name some Senators and some Congressmen who have selected either the old Commonwealth of Virginia, or the old Commonwealth of Maryland, as their place of abode, and who prefer to send their children to Washington schools instead of to the local schools in their vicinity.

Without embarrassing any colleague by mentioning names, I can mention the name of a former colleague in this class, our former colleague, the distinguished gentleman from Kansas, Mr. Phil Campbell, bought himself a fine residence over in the State of Virginia, overlooking the Mount Vernon Highway, and, naturally, he preferred the Washington schools over the Virginia ones. He had two choices: He could have resided here in Washington and paid Washington prices and put up with Washington inconveniences and enjoyed Washington privileges, such as sending children to Washington schools, but he preferred to live in Virginia, and there he went. But after going there he still insisted on having Washington privileges. But to show you that the people back home will hold us responsible for our choices, when he was in his last campaign in Kansas and was arising to tell why he should be returned to Congress from the State of Kansas his local Kansas band began to play "Carry me back to ole Virginny." And that is where he returned. And he is still there. And another from Kansas took his place.

Besides all the other big hand-outs that this Government is giving the District of Columbia in practically every one of the supply bills we are taking out of the Public Treasury of the United States in one lump sum in this bill $9,000,000, which comes out of the pockets of the taxpayers of the United States and which helps to pay the schooling of the 66,000 children of Washington.

And yesterday the gentleman from Maryland [Mr. ZIHLMAN] offered his amendment to increase this amount to $10,000,000, so that the taxpayers of the United States would have to contribute an additional $1,000,000, and when some of us protested he said: "What is a million dollars between friends?" It is a whole lot when the million dollars belongs to confiding constituents who live thousands of miles away and who are depending on us to protect their interests. We must not be so generous with somebody else's money. We must not be so generous with the people's tax money.

From some of the "sob" speeches made here, one might imagine that some poor boys and girls had just one chance to get an education and that was to pass this amendment, and that if we voted down the amendment, we would be depriving them of all chance to secure an education. Such position is ridiculous and ludicrous. Maryland and Virginia will supply their own schools for their own people just as soon as they definitely understand that Congress is going to stop furnishing same out of the Public Treasury.

This issue must not be camouflaged. It is plain and simple. Under the law and practice up to this time, children both from Maryland and Virginia are accepted in Washington schools. Washington people and the Government jointly pay for the buildings, tuition, and free school books. Maryland and Virginia want this practice continued. The Washington people and the Government want to stop it, and make Maryland and Virginia take care of their own children and schooling.

This year there are 2,571 children who reside in Maryland and Virginia attending the Washington schools. The bill before us does not stop them. It permits them to continue on through the years until all of them graduate through the high schools. But the bill does not permit any new ones to be enrolled. The bill says that a child living in Maryland, and one living in Virginia, now in the Washington kindergarten, may continue on through the eight years of graded school, and also through the four years of high school, but no new ones are to be enrolled, and so far as new enrollments are concerned, Maryland and Virginia must provide schools for them. Is there anything unjust or unreasonable about this? Not at all; yet the pending amendment would strike out this provision of the bill, and continue on and on the practice of letting Maryland and Virginia children attend Washington schools at the expense of Washington people and the Government. Any vote for the amendment is a vote to make all of the people of the United States pay part of the expense of sending Maryland and Virginia children to school in Washington 13 years, from kindergarten through high school.

Yesterday the gentleman from Michigan [Mr. CRAMTON] moved to reduce from $9,000,000 to $7,000,000 the amount the whole people of the United States would pay on these District expenses. That would have saved the taxpayers of the United States $2,000,000. And if we had not been forced to build and furnish buildings for these 2,571 children residing in Maryland and Virginia and to furnish them with teachers and tuition and with free school books, we might have saved this $2,000,000 for the taxpayers of the United States.

These 2,571 children from Maryland and Virginia represent between 800 and 1,000 families. Of course, they want this free schooling. Of course, they applaud and feel kindly toward any Member of Congress who speaks in their interests. And I could make myself very popular with them if I would vote for giving their children free schooling in Washington. And, after all, what is a paltry million dollars between friends when it does not come out of our pockets but the Public Treasury, with the people at home far away, and who will probably know nothing about it? And to vote with these 1,000 Maryland and Virginia families might help me tremendously in a political way, as most of them have friends and relatives living in my State. Hence, it is a great temptation for me to speak for them and to vote for them, but my conscience and my judgment tells me that it is my duty to speak for and vote for the people of Texas and the whole people of the United States, and this amendment is against their interests. We have a magnificent delegation here from Virginia. They are lovable colleagues. I would like to favor them. We have a fine delegation here from the great State of Maryland. They are all bully good fellows. I would like to favor them. I would like to be popular with them all. I would like to have their best wishes. But my sworn duty here is not to favor them at the expense of my own constituents. Feeling that way about it, I am against the amendment.

Mr. MONTAGUE. Mr. Chairman and gentlemen, the gentleman's argument is answered by the fact that he favors a change in the educational system after he gets through educating his own children at the expense of the Government of the United States and the District of Columbia. I allude to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. That is not fair, because I am paying here in Washington identically the same charges on everything that every other resident in Washington is paying, and I have the same rights as other residents here.

Mr. MONTAGUE. But you are not educating your children now.

Mr. BLANTON. But I still pay the same as all other residents pay to live here.

Mr. MONTAGUE. But the gentleman did not pay anything to enter his children in the schools. Gentlemen, you can not deal with this matter upon an analogy with other cities in the country. They are not at all similar. There are citizens of the United States and there are citizens of the States. That has been held by the Supreme Court of the United States as well as expressed by text-writers.

This District was set apart, and here, perhaps more than anywhere else in the Union, you will find the distinctive difference between a citizen of the United States and a citizen of the States. When you come to speak of the education of children here it is not done by the District of Columbia only. It is only partially done by the District of Columbia. According to the statement of the gentleman from Texas, a little while ago, the United States pays $1,000,000 more than is necessary to maintain its residence and property in the District of Columbia. I infer from him that $8,000,000 would have been the fair proportion of money to be appropriated to this District by the Federal Government. We appropriate $9,000,000. What becomes of the $1,000,000 difference?

Now, let us come to the situation here. The distinguished gentleman from Illinois [Mr. MADDEN] referred to Chicago. Of course, they charge for entrance into the schools of Chicago as they do in other places of the country, but that is the same identical jurisdiction. There is no Federal question involved. There are no Federal taxes expended, and it is just taking money out of one pocket and putting it into another. The State treasury itself is as whole as it was before such admissions. Coming to the particular situation here, which I wish, if I can, to impress upon the gentleman of the committee.

The children to be educated in the outlying regions of the District of Columbia or in propinquity or vicinity of the District of Columbia constitute nothing in this world—if you wish the truth and nothing but the truth—but a suburban population of the District of Columbia. It is not a foreign, imported population; it is the outgrowth of the District of Columbia. If you were to abolish the District of Columbia you would have none of these children and none of these nonresidents.

Now, is it possible that a Government as wealthy as ours will go to Virginia and extract from her, to educate the children of the agents, officers, soldiers of the United States, five or ten times as much as Congress appropriates for the entrance of a few Virginia children into the District of Columbia? If you

want to be just and fair, Congress should not exact from Virginia and give nothing in return.

I did not anticipate submitting any views whatever upon this subject, but to me, unless I am unaware of my own mental state, this bill is not a just administration of the Federal Government. You can draw no analogy between the city of Washington and the city of Chicago or the city of Baltimore. This District belongs to the United States of America. It was established by the Constitution of the United States of America to be governed entirely by the Congress of the United States.

Mr. MOORE of Virginia. May I interrupt my colleague?

Mr. MONTAGUE. If the gentleman does not take too long.

Mr. MOORE of Virginia. It seems from what the gentleman from Nebraska has said that the children from the Army posts within the metropolitan area do not generally come into the District of Columbia for their education, and therefore they are going to the Virginia schools.

Mr. MONTAGUE. I know it.

Mr. MOORE of Virginia. And there are between three and four thousand officers and enlisted men in these three or four posts.

Mr. MONTAGUE. We have within a radius of 10 or 20 miles of Washington at this time over 2,000 officers in the Army, Navy, and Marine Corps, to say nothing of children of privates and employees. We would have many more if we did not have nearly 4,000 marines to-day in China and, perhaps, 2,000 or 3,000 in Nicaragua, yet, as a matter of fact, I think you will find that from Quantico very few attend the schools of the District of Columbia. They are all taken care of by the Commonwealth of Virginia. [Applause.]

Mr. LINTHICUM. Mr. Chairman and members of the committee, it is not my purpose to take up much time, because the subject has been so fully discussed and the gentleman from Virginia [Mr. MONTAGUE] has covered the most of what I wanted to say. There are only two or three observations I care to make. It would appear from what has been said that there is a belief that no legislation on the subject exists. We have legislation passed by Congress to the effect that the children of men engaged in public service or doing business in the District shall have the right to send their children to the District schools. A bill was considered by the District of Columbia Committee which contemplated a change, but it was unanimously rejected by the subcommittee. The proposition now is "that the children who do not dwell in the District of Columbia shall hereafter be excluded; that the children of employees of the Government or of people doing business here shall not go to school in the District of Columbia," in accordance with existing legislation. It is the intention of the Appropriations Committee, who call themselves "We," to limit it by the provisions in the bill. In other words, the Appropriations Committee is endeavoring to overrride the legislation enacted by Congress.

The gentleman from Nebraska read a telegram from the superintendent of schools of Baltimore. Yes; they charge tuition to children coming in from the counties, except where a parent from the county has property in Baltimore City and pays the school taxes, then the school tax he pays is deducted from the tuition. That is an adjustment between the city and the county, all within the same State. The situation between the District of Columbia and Maryland, I think, is on an entirely different basis. Here we appropriate $9,000,000 out of the Federal Treasury toward the expenses of the District of Columbia. According to congressional figures, the Government property in the District is valued at $333,000,000. The District organizations say that the property in the District of Columbia, belonging to the Government, has a value of $470,000,000, which latter figure would amount to a tax of $8,000,000 at the $1.70 rate charged to all taxpayers. So the United States Government is giving the District a million more dollars than they would get if they taxed the Government property in the District of Columbia. In addition the Government gives them the free rental of property worth a rental value of $142,000 annually; the Government is paying salaries that should be paid by the District of Columbia amounting to $90.000 yearly and giving them buildings which would rent for $15,000. I take these from the hearings, pages 1029-1030 and 1033.

The point I make is this: The parents of these children are engaged in public service. They go into the counties of Maryland and Virginia and arrange a little home, and all the taxes the county gets out of each family for school purposes would not provide for the education of one child in 75 per cent of the cases. If you burden the counties with all the children of these employees, which pay very little, you will almost bankrupt the counties.

These dwellers are here for Government purposes, and are not brought here as inhabitants of the counties; they come here for Government purposes, consequently the Government should be as liberal in educating the children of those people as it is in educating the children of people in the Army camps or at Army posts or on other governmental reservations.

It is not the District we ask to do this, but the National Government. It should be done, even though it required an additional appropriation.

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

Mr. BUSBY. Mr. Chairman and members of the committee, I would not have taken this time if any Member in all this discussion had happened to hit on the point I have in mind and around which I shall make my speech. This is the proposition I have in mind, and I think it strikes at the very foundation of this matter. It seems to me the argument has been made here that this provision in the bill would be an injustice to the taxpayer in the District of Columbia.

A certain portion of the expenses of the District of Columbia are paid by the Federal Government—some 30 or 40 per cent of the expenses of the District of Columbia. A large portion of the expenses of the District of Columbia are not paid by the United States Government. Under all of the budgets I have seen made up in the counties in States they contain an estimate for different objects—a certain portion would be for one thing, a certain portion for another, and a certain portion of the budget would be for school expenses. When you pay your taxes you have to pay a certain per cent of that amount for schools. The Government of the United States pays $9,000,000 taxes, out of which $3,000,000 is school taxes. Say the budget for Washington is $40,000,000. The schools of the city cost, say, $12,000,000, or 33⅓ per cent of the total. Then one-third of the Federal donation of $9,000,000 to the District, or $3,000,000, should be considered the donation to the school fund. You know this city is not a manufacturing city; you know there is no other business in it disconnected with the business of the United States Government. You know that practically everyone who is in the city of Washington is dependent upon it as the Capital of the United States, and those who come in from the surrounding territory, or those who come into what we call the District of Columbia, come here to transact and carry on business mostly for and with the Government.

In fact none of the telegrams that the chairman of the subcommittee read to you has any striking effect on me, because they all apply to places where there is no contribution whatever from the United States toward maintaining any such organization as that maintained at this place. I can not see why you should lay down a line here and say that this is the District line, and that notwithstanding the fact that the Government has paid $9,000,000 into the treasury, a portion of which in all fair budget making should go to school purposes, the people who work for Uncle Sam and have to live outside of this District shall not profit by that contribution. On that basis I contend that the taxpayers of the District have no just complaint to make against us if we continue to permit the children to come along to school as we have heretofore.

Mr. CHINDBLOM. Mr. Chairman, I offer the following perfecting amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: On page 46, in line 14, after the word "act" strike out the period, insert a semicolon and add the following: "*Provided further*, That pupils who dwell outside of the District of Columbia and are not enrolled in the public schools of the District of Columbia on the date of the approval of this act may attend the public school of the District of Columbia upon payment of tuition, to be fixed by the Board of Education, together with the terms of payment, in amount at least sufficient to compensate a proportionate share of the salaries of teachers employed in giving instruction to such pupils."

Mr. ZIHLMAN. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. ZIHLMAN. My point of order is that the amendment changes existing law. It is legislation on an appropriation bill. The amendment could not possibly come within the provisions of the Holman rule, because there is no saving effected thereby.

Mr. CHINDBLOM. Mr. Chairman, I should like to have the gentleman reserve the point of order for a moment.

Mr. ZIHLMAN. I should be very glad to reserve the point of order, Mr. Chairman.

Mr. CHINDBLOM. Mr. Chairman, I have offered the amendment for this purpose. If the provision now in the bill should remain, there would be no possibility for any child living outside of the District of Columbia to come into the schools, to attend the public schools of the District during the next fiscal year. If the provision that is in the bill does remain, it seems to me

that those who are opposed to the provision because they want pupils outside of the District to have an opportunity to come into the District schools ought to be willing to accept an amendment which makes it possible for such children to come into the District upon the payment of tuition. If the text of the bill remains it will not be possible for those pupils to come in after the 1st of July next, but if this amendment be adopted it will be possible for them to come in upon the payment of tuition, to be fixed by the Board of Education. The language of my amendment follows the language of the bill—H. R. 5524—introduced by the gentleman from Michigan [Mr. CRAMTON]; which he has sought to have adopted as permanent law; and if, during the next fiscal year, this law should be adopted, you will have a situation where during the year that will have passed pupils will be able to continue attending schools after the law has been passed. It applies only to this appropriation; it is limited just as the original text of the bill is limited to this appropriation alone. If I took the position which the gentleman from Maryland [Mr. ZIHLMAN] takes, I think I would want to perfect the text to make it possible for those pupils to attend in case the House determines to retain the language of the original bill. On the other hand, so far as the parliamentary situation is concerned, this amendment will be voted on first, if it is sustained by the Chair as not being obnoxious to the point of order. It will be a perfecting amendment, it will be a part of the text, and then you will have the same opportunity you have now to vote on the proposal to strike out the whole thing with the amendment added.

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

Mr. CHINDBLOM. Yes.

Mr. GAMBRILL. The trouble is that we are attempting in an appropriation bill by a limitation to pass legislation which will cover this whole situation. The vice of your amendment is this——

Mr. CHINDBLOM. Oh, I thought the gentleman wanted to ask a question. If the gentleman wants to discuss my amendment, that is a very different thing, and I can not stop for a speech upon it now. With reference to the point of order, it will become necessary for the Chair to determine whether the original paragraph in the bill is subject to the point of order. If the original paragraph in the bill is subject to a point of order, then I submit that my amendment, being germane to the text, is also in order.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield for a question on parliamentary law?

Mr. CHINDBLOM. Yes.

Mr. MOORE of Virginia. I examined the question the gentleman just propounded, as to whether the paragraph reported by the subcommittee is subject to the point of order. I may say without violating any confidence that I discussed the question with the gentleman from Georgia [Mr. CRISP]. We reached the conclusion that it is not subject to the point of order.

Mr. CHINDBLOM The gentleman refers to the original provision in the bill?

Mr. MOORE of Virginia. Yes.

Mr. CHINDBLOM. I have not expressed any opinion upon that.

Mr. MOORE of Virginia. If it was subject to a point of order as being a legislative provision, the point of order not having been raised, then you would have the right to put in a legislative provision as a substitute.

Mr. CHINDBLOM. It is legislation notwithstanding. It is legislation now, but it is in order because it is legislation limiting the appropriation. It comes within the precedents. If there was no legislation in it the question of its being in order would not arise.

Mr. MOORE of Virginia. As to the paragraph as it stands, we are not objecting to it on the ground that it is legislation, but——

Mr. CHINDBLOM. I have not discussed that. I said to the Chair that it was necessary for the Chair to determine whether the original provision is in order or not, and since the gentleman has raised the question, I will say that so far as the original provision in the bill is concerned, in my opinion, that is in order.

Mr. ZIHLMAN. I insist on the point of order, Mr. Chairman.

Mr. KETCHAM. Mr. Chairman, will the Chair please state whether or not any time is remaining under the agreement made a short time since?

The CHAIRMAN. A few minutes remain. Does the gentle- from Michigan desire to be heard on the point of order?

Mr. KETCHAM. Not on the point of order; but if there is any time left under the original agreement, I desire to be heard.

The CHAIRMAN. Does the gentleman from Maryland [Mr. ZIHLMAN] desire to be heard on the point of order?

Mr. ZIHLMAN. No. I stated my views on the point of order.

Mr. LAGUARDIA. Mr. Chairman, I do not agree with the gentleman from Illinois [Mr. CHINDBLOM] when he says that if the original amendment was in order any amendment thereto would be in order, regardless of the text of the perfecting amendment. Here we have an amendment offered which is clearly a limitation which comes within the rule; but the so-called amendment offered by the gentleman from Illinois brings an entirely new subject into the law, and that is the payment of tuition. That is not in the law now, and it is clearly legislation, and the fact that it is hooked on to an amendment that is in order does not make it germane if it is not germane.

Mr. CHINDBLOM. What I want to do is to save these children who may want to attend public schools in the District.

Mr. BLANTON. Mr. Chairman, I make a point of order that the remaining time is for those who are opposed to the amendment, and the gentleman from Michigan [Mr. KETCHAM] is in favor of it.

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

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee——

Mr. CHINDBLOM. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman from Michigan is now speaking on the amendment offered by the gentleman from Maryland [Mr. GAMBRILL].

Mr. BLANTON. And he is in favor of it, although the remaining time is for those opposed to the amendment.

Mr. CHINDBLOM. In order that there may not be a wrong precedent set, Mr. Chairman, the gentleman from Illinois—myself—understood the Chair to sustain the point of order made by the gentleman from Texas [Mr. BLANTON]. Of course the gentleman from Texas could not make a point of order on the question of recognition.

Mr. SIMMONS. Mr. Chairman, I will ask unanimous consent that the gentleman from Michigan [Mr. KETCHAM] may be recognized.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the gentleman from Michigan [Mr. KETCHAM] may be recognized. Is there objection?

There was no objection.

Mr. KETCHAM. Mr. Chairman and members of the committee, in the first place, I want to express a word before the whole committee that I expressed to the chairman of the subcommittee a little time ago, and that is a word of appreciation of the fine spirit the subcommittee have shown in their endeavor to meet this very difficult situation.

And I think I might go further. If the gentleman had not been to such great pains as to send a telegram out to the superintendent of the city schools at Hastings, Mich., which sought to put me in a rather bad light in this situation, perhaps I might have been able to go along with him, but I find myself forced to the opposite position.

Now, with reference to my home city, that city exhibits exactly the same spirit that I wish this Capital would exhibit with reference to those boys and girls from nearby towns. It is true that we charge them tuition, but I do not think the superintendent of schools of our town will say that that tuition represents the cost of the instruction received. But we feel that it is a fine thing to establish cordial relations with the county of which we are the county seat, and to encourage the boys and girls to come there in order that they may have the advantages of education.

And now I make my plea for the amendment of the gentleman from Maryland on this basis, that this same fine spirit of reciprocity ought to characterize this great Capital. I brush aside the statements of my friends on this committee as to heavy taxation in the District as a result of these pupils as inconsequential. If I were a lawyer, I would say their contention is irrelevant, incompetent, and immaterial. [Laughter.] It certainly is inconsequential. That is the only word that occurs to me outside of the lawyers' vocabulary that begins with the letter "i." [Laughter.]

The very idea of men on this committee standing here and pleading for the taxpayers of the District of Columbia in reference to the very trifling sum that may be required from the pockets of District taxpayers to make up their small proportion of the $250,000 that might properly be charged to these children

is ludicrous. Any man who has ever had any experience in school affairs knows that you would have your school machinery already set up, with practically the rooms that you have now, and the same overhead expense, with or without these children, and no man this minute has a coin in his pocket small enough to represent the increased cost that any citizen of the District of Columbia would have to pay by reason of these children coming to school here without paying tuition.

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

Mr. KETCHAM. I will yield to the gentleman after I have made one other statement.

I think you are all aware that within this District there reside probably 10,000 heads of families who are not citizens of the District of Columbia. They vote back in your State and back in my State, and they, in a large number of instances, do not pay one red cent of tax in the District of Columbia, except as they pay it indirectly in rents. We allow them to have the privilege of sending their children to the schools here, and if that be true, and if we extend that courtesy to Nebraska and to other States, why in the name of all that is fair, right, and just should we not extend it likewise to the States of Maryland and Virginia, which to all intents and purposes are a part of this metropolitan area?

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

Mr. ZIHLMAN. Mr. Chairman, I ask recognition.

The CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. ZIHLMAN. I am in favor of the amendment.

The CHAIRMAN. Is any gentleman opposed to the amendment? If not, the gentleman from Maryland is recognized for five minutes.

Mr. ZIHLMAN. Mr. Chairman, I do not propose to take the entire five minutes. Mr. Chairman and gentlemen of the committee, we have long known of the editorial "we." Recently, due to the brilliant achievement of the pioneer of the air, Col. Charles A. Lindbergh, we have become acquainted with the aeronautical "we"; and to-day we learn of the legislative "we," which seems to be the Committee on Appropriations, who are proposing this legislation, which has been characterized upon this floor as picayune. The superintendent of schools, who is paid $10,000 to manage and administer the affairs of the schools of this District and who should know more about this subject than anyone else, stated before this subcommittee that he was working out this matter of the attendance of children from Maryland and Virginia. He stated that the Board of Education have adopted a rule that whenever the number of pupils in a room reached the total of 42 the children from Maryland and Virginia were kept out of that room, and that when the number of pupils in any room reached 48, under the rule adopted by the school board, all Maryland and Virginia children were put out of that school and out of that room and taken care of elsewhere, if possible. So the school authorities are working this thing out, and it is only a matter of a few years until the State of Virginia and the State of Maryland will be able to take care of the greatly increasing population that has been built up around the suburbs and around the imaginary line which separates the District of Columbia from the State of Maryland and the State of Virginia.

In the testimony of Doctor Ballou, he states that Arlington County, Va., had issued bonds and is building a number of splendid schools. He also admitted that the State of Maryland—or the county of Montgomery, at Takoma Park, at Bethesda, and in other sections of that county—is building schools as rapidly as possible to take care of these children. I contend that at this time to endeavor to repeal the existing legislation by a limitation of this kind is not in accord with the policy we might expect from a great committee like the Committee on Appropriations, and I sincerely trust that the amendment offered by the gentleman from Maryland [Mr. GAMBRILL] to strike this provision out of the bill will prevail and that we will be allowed to work this thing out in conjunction with the authorities of the District of Columbia.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. GREEN of Florida. Does the gentleman mean that the superintendent of schools here says that they have not enough building space to take care of the children now in the District?

Mr. ZIHLMAN. No; he does not say that. As I read his testimony he states that certain schools will be crowded, even if they eliminate all of the children from Maryland and Virginia. He states that the school referred to by the gentleman from Nebraska, in the vicinity of Chevy Chase, would be crowded even if the Maryland children were eliminated.

Mr. GREEN of Florida. Would that drive them out of the District schools or would they be transferred to another place in the District?

Mr. ZIHLMAN. Under existing law, Maryland children, if there are facilities for them, can go to a school that is not crowded.

Mr. MURPHY. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. MURPHY. I am wondering, if the shoe were on the other foot, whether the State of Maryland and its Representatives would be in this House advocating just what they are advocating on this floor now, if District children were being sent into Maryland?

Mr. ZIHLMAN. There are District children in the Maryland schools. It has been stated that 270 children from the District are attending the University of Maryland.

Mr. MURPHY. But that is not a public school. They are paying their tuition.

Mr. ZIHLMAN. I will say to the gentleman that there are children attending the Maryland schools in Prince Georges and Montgomery Counties, Md., and in Arlington County, Va., who reside within the District, and no tuition is charged. It is true the number is not comparable, but I am stating this to show that reciprocity does prevail.

Mr. CHINDBLOM. Is the proportion about 16 to 1?

Mr. ZIHLMAN. About 16 to 1.

Mr. MURPHY. I can very readily sympathize with the gentleman from Maryland in trying to save the taxpayers of Maryland at the expense of the taxpayers of the District of Columbia. The gentleman must not lose sight of the fact that every man who lives in the District of Columbia is paying taxes when he pays the rents of this District. They are paying taxes beyond anything they would pay in your State and in the State of Virginia.

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

The question was taken; and on a division (demanded by Mr. ZIHLMAN) there were—ayes 91, noes 82.

Mr. SIMMONS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. SIMMONS and Mr. GAMBRILL.

The committee again divided; and the tellers reported that there were—ayes 95, noes 98.

So the amendment was rejected.

The Clerk read as follows:

HOUSE OF DETENTION

For maintenance of a suitable place for the reception and detention of children under 17 years of age, and, in the discretion of the commissioners, of girls and women over 17 years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the purchase and maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of building, fuel, gas, ice, laundry, supplies, and equipment, electricity, and other necessary expenses, $14,000; for personal services in accordance with the classification act of 1923, $15,780; in all, $29,780: *Provided*, That no part of this appropriation shall be expended for the maintenance of a house of detention in the territory abutting or adjacent to the grounds of the Capitol Building, the Senate and House Office Buildings, and the Library of Congress.

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN (Mr. LAGUARDIA). The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMMONS: Page 55, after line 24, insert the following paragraph:

"For rental, repair, and alteration of quarters for health department clinics, including installation of necessary equipment, $8,000."

The amendment was agreed to.

The Clerk read as follows:

For a site for an engine company to be located in the vicinity of Connecticut and Nebraska Avenues, NW., $12,000: *Provided*, That no part of this appropriation shall be expended for the purchase of any site the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value.

Mr. LUCE. Mr. Chairman, I move to strike out the last word of this paragraph for the purpose of asking the chairman of the committee if he can give the committee any information as to what progress, if any, he is making on the question of handling the purchases of property in the District.

Before the gentleman answers I would explain that my committee duties and other relations bring me in touch with the problem and are bringing home to me forcibly some of the difficult situations that are arising. Last year we passed a bill, which became law, for the purchase of land for an arboretum. By reason of the position taken by certain real-estate promoters, we were held up in that project. Very fortunately, the bill provided that this land might be that which we had especially in view, the Mount Hamilton site, or it might be elsewhere in or near the District; and it may be well for me now to give notice that the permission to go elsewhere in the District or to go outside of the District may be resorted to if it proves impossible to buy the rest of this land at a reasonable price. I may also warn the men concerned that if the holdup continues the Government may see fit to stop any further work in the dredging of the Anacostia River and the development of the land in the upper reaches thereof.

But I am concerned with two other situations that I think should be brought to the attention of the committee, and possibly in view of them the chairman of this subcommittee may help us to determine what ought to be done.

In the case of the land that is to be bought, two squares at the lower end of the hill, for the new Botanic Garden, the bids were opened the other day and there was not one piece of property in those two squares that was offered to us at less than 100 per cent above the assessed valuation. One of the more important pieces of property was offered to us at between 300 per cent and 400 per cent above the assessed valuation. The average of the bids submitted to us was over 200 per cent above the assessed valuation. This, of course, is nothing more or less than a holdup of the Government of the United States and an attempt to extort from the Public Treasury money that should not go for that purpose; and, strongly of the hope as I am that the Botanic Garden may be speedily removed from its present situation, I for one should be very reluctant to consent to paying any such extortionate prices as are demanded; and I am ready now, unless something changes in the matter, to introduce another bill providing a different site for the Botanic Garden.

But it seems most unfortunate that we should be obliged to sacrifice the desirable locations for our public improvements and go to less desirable locations by reason of a system of assessment and a system of condemnation proceedings which mulct the Government every time either is brought into the situation.

I understand a bill has been introduced for improving the condemnation proceedings of the District. Will the gentleman inform us, if he knows, of any steps that are being taken or can the gentleman suggest any steps that ought to be taken to meet the conditions presented by the unfair, unjust, and wrong system of assessing property in the District of Columbia?

Mr. SIMMONS. Mr. Chairman, I think the gentleman from Massachusetts [Mr. LUCE] has very well stated the situation that exists here in Washington, and that is that under existing conditions the real-estate men are holding up the Government and the people of the District in the purchase of sites.

On this matter the gentleman and I are in complete accord. I believe the gentleman is right in notifying these people that if the United States can not buy property at a fair price in the District, when there are matters that affect the District, such as the matters the gentleman is interested in, then we ought to go outside of the District or stop the activity.

We are presented with a strange situation in the District. Business men, responsible taxpayers who ought to be interested in city development, refuse to serve on condemnation juries. The business men of Washington either connive in this holdup or else do not resist it. I asked the corporation counsel why it was that responsible business men in the community were not called upon as witnesses of value in condemnation cases. He said the only way he could get them was to insist that they come, and that they came only as a personal favor. The result is that the District is in the hands of real-estate speculators and boomers of real-estate values.

Condemnation juries are made up partly of real-estate men who are interested in keeping up the price of land in the District.

It seems to me the District people ought to have interest enough in the development of the city to serve on these juries, and to see to it that the District and Federal Government get a square deal in land purchases.

The gentleman from Massachusetts asks what progress is being made in the buying of land under the 125 per cent provision.

You will find the names in the hearings of three men who went to the assessor and tried to get him to raise the assessment so that they could sell their land to the District at an increased price. In one instance the owner threatened the assessor with the influence of a Member of Congress that they would get his job if he did not increase the assessment.

We have bought land and are buying land under the 125 per cent limit. The purchasing officer told me that the money we have available will nearly all be spent.

Here is what happens: The people refuse to sell until they know Congress is not going to repeal the 125 per cent provision.

In one instance last year we could not get the land because the newspapers were bombarding the Congress to do away with the 125 per cent limit. When the appropriation bill was reported with 125 per cent limit in it, the owner came around and said, "Boys, I will take your offer if that is the decision."

The assessor states that a 125 per cent limit is a fair one to the property owner and the taxpayer. If we can not buy for civic improvements with that limit, it is not the fault of Congress; but it is the fault of those who seek to hold up the District and the fault of the District people.

Mr. LUCE. Will the gentleman yield?

Mr. SIMMONS. I will.

Mr. LUCE. Has the gentleman given any study to the matter of improving condemnation process?

Mr. SIMMONS. There is a proposal for that purpose, but I have not had time to study it. The condemnation law needs amendment. The courts appoint a condemnation jury and it may be 8 or 10 months before anybody knows what their decision is or what influences may be brought to bear on them. In one instance a condemnation jury have had the matter of the purchase of a school site under consideration for six or eight months and had not reported.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last two words. A bill was prepared by the counsel for the National Capital Park and Planning Commission, which is intended to remedy some of the defects in the existing condemnation laws, providing among other things that no man engaged in the real-estate business here can serve on a condemnation jury, and providing for an additional judge of the supreme court here to hear these cases. That bill has been introduced and is pending before the Committee on the Judiciary or a subcommittee of that committee. No report has yet been made on the bill.

The CHAIRMAN (Mr. HOOPER). Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For maintenance, including personal services, of the public crematory, $2,500.

Mr. GRIFFIN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: Page 62, line 3, strike out lines 3 and 4 and insert: "For maintenance, including personal services of the public crematorium, $3,000: *Provided*, That the health officer is authorized to provide and furnish proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium, which ashes remain unclaimed after 12 months from date of such cremation."

Mr. GRIFFIN. Mr. Chairman, the effect of this amendment is to increase the appropriation about $500. The object of that is to enable the health officer of the District to bury the ashes of the indigent persons who are cremated with some degree of respectability and concern for the dead as well as the living. The health officer encountered a snag in the matter of the proper disposition of the ashes by the attitude of the Comptroller General that no officer of the Government had the right to bury or do away with public property. The urns are receptacles in which the ashes of the pauper dead are placed after the cremation, and they are construed to be Government property. The Comptroller held that the health officer had no authority to bury them. This appropriation gives the health officer of the District a sufficient sum to provide proper urns and identification tags, so that the ashes of the dead may be preserved in peace and respectability.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk continued to read the bill.

Mr. LINTHICUM (interrupting the reading). Mr. Chairman, I have an amendment which I desire to offer on page 89 of the bill. Is it too late?

Mr. BLANTON. But the Clerk is reading now on page 90 of the bill.

Mr. SIMMONS. I shall object to returning to offer such an amendment.

Mr. LINTHICUM. Then I make the point of order that there is no quorum present.

Mr. CHINDBLOM. I suggest that the gentleman from Maryland permit his amendment to be reported.

Mr. SIMMONS. I shall reserve the right to object to returning for the purpose of offering the amendment.

Mr. CHINDBLOM. And the gentleman from Maryland temporarily withdraws the point of order of no quorum?

Mr. LINTHICUM. I withdraw the point of order for the present.

The CHAIRMAN. The gentleman from Maryland submits an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LINTHICUM: Page 89, after line 11, insert a new paragraph:

"For salaries, maintenance, and for pumping water when necessary at the Bryant Street pumping station, $45,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that this is legislation on an appropriation bill, and it is a change of existing law. There is no law now that authorizes that.

Mr. LINTHICUM. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Maryland.

Mr. LINTHICUM. Mr. Chairman, on page 17 of the committee report, under the title "Water service," subtitle "Water department," we find the following:

Water department: For salaries under the water department the committee has increased the Budget estimate of $142,000 by an addition of $2,360 for salary increases. There is recommended for the item of maintenance and operation of the distribution system and the purchase of supplies and payment of per diem wages the Budget estimate of $335,000. This is a reduction of $111,500 under the current year and is made possible by the discontinuance of the pumping of water at the Bryant Street station.

I maintain that if that $335,000 is properly in the bill, and this reduction of $111,000 has been made by virtue of the discontinuance of pumping water at the Bryant Street pumping station, this amendment is germane following that appropriation of $335,000; that it was the intention of the District Commissioners to include this $45,000 along with the $335,000, but the Budget Committee or the Subcommittee of the Committee on Appropriations having this bill in charge—I do not know which—cut it out. If it was germane as a part of the $335,000, and that was a saving of $111,000, certainly it ought to be germane to that appropriation.

Mr. SIMMONS. Mr. Chairman, this bill carries every cent for this that was asked for by the water department or by the commissioners. I insist upon my objection to returning to that point in the bill for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Nebraska insists on his objection. Does the gentleman from Maryland renew his point of order that there is no quorum present?

Mr. LINTHICUM. No.

The Clerk resumed and completed the reading of the bill.

The CHAIRMAN. Without objection, the Clerk will be authorized to change the spelling of the word "temporary" on page 77, line 17.

There was no objection.

Mr. SIMMONS. Mr. Chairman, I move that the Committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HOOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 11133) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1929, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SIMMONS. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

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

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

Mr. GAMBRILL. Mr. Speaker, I submit a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GAMBRILL. I am.

The SPEAKER. The Clerk will report the motion of the gentleman from Maryland to recommit the bill.

The Clerk read as follows:

Mr. GAMBRILL moves to recommit the bill to the Committee on Appropriations with instructions to report the same back instanter with lines 9 to 14, inclusive, on page 46 stricken out of the said bill.

Mr. MOORE of Virginia. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. The Chair will count.

Mr. MOORE of Virginia. Mr. Speaker, I withdraw that.

The SPEAKER. The question is on agreeing to the motion to recommit.

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

Mr. SIMMONS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. As many as favor the motion of the gentleman from Maryland [Mr. GAMBRILL] to recommit the bill with instructions will, when their names are called, answer "yea"; those opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 139, nays 146, not voting 148, as follows:

[Roll No. 38]

YEAS—139

Almon	Dickinson, Mo.	Johnson, Tex.	Oliver, Ala.
Andrew	Drane	Johnson, Wash.	Parker
Aswell	Driver	Jones	Parks
Bankhead	Dyer	Kelly	Peavey
Bell	Edwards	Kemp	Peery
Berger	Eslick	Ketcham	Quin
Black, Tex.	Evans, Mont.	Knutson	Ragon
Bloom	Fish	Kvale	Rainey
Box	Fisher	LaGuardia	Rankin
Brand, Ga.	Fitzpatrick	Lampert	Reece
Briggs	Fulbright	Lanham	Reed, Ark.
Browne	Fulmer	Lankford	Rogers
Browning	Gambrill	Lea	Rubey
Buchanan	Garner, Tex.	Linthicum	Rutherford
Burdick	Garrett, Tenn.	Lowrey	Sanders, Tex.
Bushby	Gifford	Lozier	Sandlin
Canfield	Glynn	McDuffie	Sears, Fla.
Cannon	Goldsborough	McKeown	Shallenberger
Carss	Gregory	McLeod	Shreve
Cartwright	Green, Fla.	McMillan	Stedman
Casey	Greenwood	Major, Ill.	Stevenson
Chapman	Griffin	Major, Mo.	Swank
Clancy	Hammer	Mansfield	Tarver
Cochran, Mo.	Hare	Martin, La.	Tillman
Cohen	Harrison	Martin, Mass.	Vinson, Ga.
Collier	Hickey	Mooney	Ware
Connally, Tex.	Hill, Wash.	Moore, Ky.	Weaver
Cox	Howard, Nebr.	Moore, Ohio	Whitehead
Crisp	Howard, Okla.	Moore, Va.	Williams, Mo.
Crosser	Hudspeth	Moorman	Williams, Tex.
Dallinger	Hull, Tenn.	Morrow	Wilson, La.
Davey	Jacobstein	Nelson, Mo.	Wright
Davis	Jeffers	Norton, N. J.	Yon
Deal	Johnson, Ill.	O'Connor, La.	Zihlman
De Rouen	Johnson, Okla.	Oldfield	

NAYS—146

Ackerman	Dickinson, Iowa	Hooper	Niedringhaus
Adkins	Eaton	Hope	Norton, Nebr.
Allgood	Elliott	Houston	Purnell
Andresen	Englebright	Huddleston	Ramseyer
Arentz	Estep	Hudson	Ransley
Ayres	Evans, Calif.	Hull, Morton D.	Robinson, Iowa
Bachmann	Fitzgerald, W. T.	Jenkins	Rowbottom
Bacon	Fletcher	Johnson, Ind.	Sanders, N. Y.
Barbour	Fort	Kading	Schafer
Beedy	Foss	Kahn	Schneider
Beers	Frear	Kiess	Sears, Nebr.
Blanton	Free	Kincheloe	Seger
Bohn	Freeman	Kopp	Selvig
Bowles	French	Korell	Simmons
Brigham	Frothingham	Kurtz	Sinclair
Britten	Garber	Langley	Smith
Burtness	Gibson	Leavitt	Snell
Burton	Griest	Luce	Sproul, Ill.
Byrns	Guyer	McClintic	Sproul, Kans.
Chalmers	Hadley	McLaughlin	Stalker
Chase	Hall, Ill.	McReynolds	Steele
Chindblom	Hall, Ind.	MacGregor	Stobbs
Christopherson	Hall, N. Dak.	Maas	Strong, Kans.
Clague	Hancock	Madden	Summers, Wash.
Clarke	Hardy	Magrady	Swick
Cole, Iowa	Hastings	Mapes	Swing
Collins	Haugen	Menges	Taber
Colton	Hawley	Merritt	Temple
Cooper, Ohio	Hersey	Michener	Thatcher
Cooper, Wis.	Hill, Ala.	Miller	Thurston
Crowther	Hoffman	Morehead	Tilson
Curry	Hogg	Murphy	Timberlake
Darrow	Holaday	Nelson, Me.	Treadway

Underhill	Wainwright	Welch, Calif.	Winter
Underwood	Wason	Welsh, Pa.	Wood
Vincent, Mich.	Watres	White, Kans.	
Vinson, Ky.	Watson	White, Me.	

NOT VOTING—148

Abernethy	Dickstein	Kunz	Reid, Ill.
Aldrich	Dominick	Larsen	Robsion, Ky.
Allen	Doughton	Leatherwood	Romjue
Anthony	Douglas, Ariz.	Leech	Sabath
Arnold	Douglass, Mass.	Lehlbach	Sinnott
Auf der Heide	Doutrich	Letts	Sirovich
Bacharach	Dowell	Lindsay	Somers, N. Y.
Beck, Pa.	Doyle	Lyon	Speaks
Beck, Wis.	Drewry	McFadden	Spearing
Begg	England	McSwain	Steagall
Black, N. Y.	Faust	McSweeney	Strong, Pa.
Bland	Fenn	Manlove	Strother
Boies	Fitzgerald, Roy G.	Mead	Sullivan
Bowling	Furlow	Michaelson	Sumners, Tex.
Bowman	Gallivan	Milligan	Sweet
Boylan	Gardner, Ind.	Monast	Tatgenhorst
Brand, Ohio	Garrett, Tex.	Montague	Taylor, Colo.
Buckbee	Gasque	Moore, N. J.	Taylor, Tenn.
Bulwinkle	Gilbert	Morgan	Thompson
Bushong	Golder	Morin	Tinkham
Butler	Goodwin	Nelson, Wis.	Tucker
Campbell	Graham	Newton	Updike
Carew	Green, Iowa	O'Brien	Vestal
Carley	Hale	O'Connell	Warren
Carter	Hoch	O'Connor, N. Y.	Weller
Celler	Hughes	Oliver, N. Y.	White, Colo.
Cochran, Pa.	Hull, Wm. E.	Palmer	Whittington
Combs	Igoe	Palmisano	Williams, Ill.
Connery	Irwin	Perkins	Williamson
Connolly, Pa.	James	Porter	Wilson, Miss.
Corning	Johnson, S. Dak.	Pou	Wingo
Crail	Kearns	Prall	Wolverton
Cramton	Kendall	Pratt	Woodruff
Cullen	Kent	Quayle	Woodrum
Davenport	Kerr	Rathbone	Wurzbach
Dempsey	Kindred	Rayburn	Wyant
Denison	King	Reed, N. Y.	Yates

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Weller (for) with Mr. Graham (against).
Mr. Drewry (for) with Mr. Hoch (against).
Mr. Bland (for) with Mr. Begg (against).
Mr. Douglass of Massachusetts (for) with Mr. Dowell (against).
Mr. Bowling (for) with Mr. Vestal (against).
Mr. Woodrum (for) with Mr. Doutrich (against).
Mr. Romjue (for) with Mr. Thompson (against).
Mr. White of Colorado (for) with Mr. Butler (against).
Mr. Abernethy (for) with Mr. Green of Iowa (against).

Until further notice:

Mr. Reid of Illinois with Mr. Moore of New Jersey.
Mr. Pratt with Mr. Pou.
Mr. Cochran of Pennsylvania with Mr. Dickstein.
Mr. Wurzbach with Mr. Larsen.
Mr. Anthony with Mr. O'Connell.
Mr. James with Mr. Taylor of Colorado.
Mr. Dempsey with Mr. Celler.
Mr. McFadden with Mr. Weaver.
Mr. Beck of Pennsylvania with Mr. O'Connor of New York.
Mr. Golder with Mr. Sumners of Texas.
Mr. Hughes with Mr. Oliver of New York.
Mr. Porter with Mr. Lyon.
Mr. Michaelson with Mr. Kent.
Mr. Brand of Ohio with Mr. Sullivan.
Mr. Bacharach with Mr. McSwain.
Mr. Newton with Mr. Bulwinkle.
Mr. Denison with Mr. Wilson of Mississippi.
Mr. Sinnott with Mr. Arnold.
Mr. Woodruff with Mr. Prall.
Mr. Yates with Mr. O'Brien.
Mr. Taylor of Tennessee with Mr. Wingo.
Mr. Strong of Pennsylvania with Mr. Lindsay.
Mr. Aldrich with Mr. Kindred.
Mr. Connolly of Pennsylvania with Mr. Doughton.
Mr. Manlove with Mr. Montague.
Mr. Robsion of Kentucky with Mr. Connery.
Mr. Kendall with Mr. Milligan.
Mr. Wyant with Mr. Black of New York.
Mr. Faust with Mr. Tucker.
Mr. Johnson of South Dakota with Mr. Carew.
Mr. Speaks with Mr. Kerr.
Mr. Nelson of Wisconsin with Mr. Sirovich.
Mr. Roy G. Fitzgerald with Mr. Gasque.
Mr. Sweet with Mr. Rayburn.
Mr. Perkins with Mr. Spearing.
Mr. King with Mr. Garrett of Texas.
Mr. Williamson with Mr. Dominick.
Mr. Lehlbach with Mr. Auf der Heide.
Mr. Williams of Illinois with Mr. Kunz.
Mr. Hale with Mr. Mead.
Mr. Strother with Mr. Cullen.
Mr. Palmer with Mr. Palmisano.
Mr. Furlow with Mr. McSweeney.
Mr. W. E. Hull with Mr. Quayle.
Mr. Tinkham with Mr. Sabath.
Mr. Wolverton with Mr. Douglas of Arizona.
Mr. Beck of Wisconsin with Mr. Boylan.
Mr. Cramton with Mr. Somers of New York.
Mr. Kearns with Mr. Corning.
Mr. Bushong with Mr. Steagall.
Mr. Leech with Mr. Igoe.
Mr. Davenport with Mr. Combs.
Mr. Campbell with Mr. Gallivan.
Mr. Letts with Mr. Doyle.
Mr. Boies with Mr. Gilbert.
Mr. Crail with Mr. Carley.
Mr. Fenn with Mr. Gardner of Indiana.

Mr. CRAIL. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. CRAIL. I was not.

The SPEAKER. The gentleman does not qualify.

Mr. ARNOLD. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. ARNOLD. I was not.

The SPEAKER. The gentleman does not qualify.

Mr. SPEAKS. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. SPEAKS. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

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

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

REAL FARM RELIEF

Mr. CONNALLY of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, under leave granted me I set forth an argument made by me before the Committee on Agriculture on February 24 in behalf of H. R. 11358, introduced by me and now pending before the Committee on Agriculture. It is sound and workable and will give the farmer real relief. The bill establishes a Federal farm board of 12 members from the 12 Federal land-bank districts. Commodity advisory councils are provided. The board is authorized to create an export corporation for each staple agricultural commodity, such as an export corporation for cotton and another for wheat.

A revolving fund of $500,000,000 is provided to be furnished by the Treasury. The board is authorized to make loans to cooperative associations to assist in handling surplus crops.

The export corporations in time of emergency would buy staple agricultural products at not less than the cost of efficient production and, of course, would pay the market price if higher. The farmer now must sell his whole crop in practically three months. The farm board would have the power to buy, store, and hold and feed out during an annual period. It would afford a purchasing agency which would stimulate the market.

The farmer is the special victim of the tariff. He sells his goods in a world-free market and must buy in a protected market. A protective tariff on agricultural products is not effective because we export such products instead of importing them.

THREE CENTS PER POUND ON COTTON

The only way in which the farmer can be given the benefit of the tariff is to provide export debentures for all staple agricultural products exported abroad. With this end in view the Connally bill provides that on agricultural products exported the Treasury shall issue debenture certificates. These certificates are tenderable in payment of tariff duties. Certificates for 3 cents per pound on cotton and 21 cents a bushel on wheat are provided. Such certificates are negotiable and may be sold to importers or others. Cooperative societies, private individuals, and the export corporations would have the privilege of receiving these debenture certificates. The proceeds from their sale would be turned into the revolving fund of the export corporations.

It has been estimated by competent authorities that these debentures would be of direct benefit to the cotton growers of the South in the amount of $200,000,000 annually and to the wheat growers a very large sum. They are direct benefits alone. Through stimulation of the market, carrying through periods of emergency, and in reduced price of manufactured goods through competition of imported goods, the indirect results will be many times greater.

The Connally bill provides no burdensome equalization fee. It requires no army of tax and fee collectors. It is sound and workable. It costs the farmer nothing. It gives the farmer the benefit of the tariff. It is indorsed by the National Grange, the oldest and largest farmers' organization in the United States. The Haugen bill is hopeless. To pass it again when it

is known that it can not become a law is simply to play politics with the farmer. It is simply to try to bunko him. It is simply to fool him again. The Haugen bill would cost the farmer $10 to $25 per bale on cotton. The Connally bill costs him nothing.

CONDENSED STATEMENT OF HON. TOM CONNALLY, REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS, BEFORE THE COMMITTEE ON AGRICULTURE OF THE HOUSE OF REPRESENTATIVES FEBRUARY 24, 1928

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I want to thank you for the courtesy you are doing me in giving me an opportunity to discuss the farm relief bill introduced by me.

I believe I have the bill that is the "white hope" of this situation. I believe my bill is the "white hope," and if Congress really wants to do something for the farmer it can pass my bill, or it can pass either one of two branches of my bill; either one of them would be helpful.

My bill embodies the export corporation idea, with a Federal farm board of one member from each Federal land-bank district, with an advisory council, with power to form an export corporation for each particular agricultural product, so as to deal in that particular product without intermingling its funds and its business with the other products; for instance, one corporation for wheat, one corporation for cotton, and so on. It is to be given a revolving fund of $500,000,000, and then tied into that is the export debenture system, which would allow the corporations that export agricultural products or any private individual or any cooperative society or any other exporter to get the benefit of debenture certificates, which would be tenderable at the customhouse in the payment of tariff duties on imports.

DUMPING ON MARKET

What is the matter with agriculture? Two primary things, according to all authority. One is that the farmer has a seasonal market, and he dumps all of his products on the market at one time. How are you going to remedy that? If a man has gallstones, the thing to do is to go in there and cut out the gallstones, not to operate on him for appendicitis or ear trouble or cut off one of his legs. The thing to do is to go and get the gallstones.

Now, what is the matter? How do I meet the seasonal process of dumping farm products on the market? I meet that seasonal dumping by setting up these export corporations for each product, with the power to go into the market in periods of depression and buy each product in the open market at not less than the cost of efficient production. If it is worth more, then the board will pay more; and then the export corporations have power to store and carry and feed it out over the long period. That meets the seasonal proposition.

TARIFF ROBS FARMER

What is the other trouble with the farmer? The other trouble with the farmer and the theory upon which all of these bills are based is that he is the victim of the tariff; that he has to buy his goods in a protected market and he has to sell his goods in Europe in a world-free market. How do I meet that? Meet the situation, and when you find the trouble cut it out.

How do I meet the tariff situation? I simply say, "Mr. Farmer, since you have to ship your cotton and your wheat over to Europe you have to sell it there in competition with the world. I am going to permit you to bring back into the United States an amount fixed in this bill. I am going to allow you, Mr. Farmer, since you have got to sell your goods in that free world market, to bring back into the United States, duty free, an amount of foreign goods commensurate with the value of your product exported; and in order that you may not be required to actually bring these goods back I am going to require the Secretary of the Treasury to execute to you a debenture certificate of 21 cents a bushel on every bushel of wheat and 3 cents a pound on every pound of cotton, which is commensurate with the tariff rates that are charged on manufactured goods which you must buy."

Why is not that giving the farmer the benefit of the tariff? Tell me any other way on earth that you can give the farmer the benefit of the tariff. A protective tariff on wheat can not do the farmer any good. And why? Because we are now concerned with this surplus which we are exporting abroad. We do not import wheat—we import a little, but I mean on the whole we are not importers; we are exporters; and the foreign price fixes the domestic price, because if the price at home is higher than it is abroad, it will not be exported; it will stay here at home; and the foreign price has always got to be higher than the domestic price or it will not go there.

A tariff on cotton would not do any good because we export about two-thirds of our cotton. So the only way on earth that you can equalize the tariff burden is to give farmers who export their stuff abroad these debenture certificates, which would be tenderable at the customhouse, and which can be sold for cash.

How do I pay for the losses? The McNary-Haugen bill makes the farmer pay for the losses himself. My bill provides that the losses would be taken care of by these debenture certificates; and, as it was shown here in the hearing the other day, these debenture certificates would bring a direct benefit, one that you can see, one that you can feel, one that you can put your hand on, of $200,000,000 in increased value to the cotton farmer alone; a direct benefit of about $15 per bale on cotton.

The indirect benefits would be much greater, because it would stimulate purchasing power; it would stimulate the market here at home with a Government corporation able to get into the market at any time. It would aid the farmer, furthermore, by allowing manufactured goods to come in duty free, and thereby to compete with manufactured goods here at home, and more nearly equalize the burdens of the tariff. The farmer would get more for his cotton and wheat. He could buy manufactured goods at cheaper prices.

Now, gentlemen, if you do not want to adopt both wings of this bill, it is separable; you can cut it in two and take the export corporation idea or you can cut the other one off and take the debenture idea. But the ideal system is to link these two plans together. And, now, let me make just one or two other observations.

Mr. ASWELL. Do you have any equalization fee in your bill?

Mr. CONNALLY. There is no equalization fee in my bill. It does not take something out of the farmer's pocket. It really puts money in the farmer's pocket. The old equalization fee takes $10 to $25 out of the farmer's pocket. The equalization fee was a holdup.

Mr. ASWELL. You really give something rather than to take something away from him?

Mr. CONNALLY. My bill really gives him something. Let me show you about the old equalization fee. Now, gentlemen, some people treat the Constitution as a mere bagatelle. I believe the equalization fee is unconstitutional, because I would prefer the Attorney General's opinion to that of some one who does not know.

Mr. RUBEY. You need not be afraid of it.

Mr. CONNALLY. I am afraid of it.

Mr. RUBEY. If you believe it is unconstitutional, you can take it into court.

Mr. CONNALLY. Sure; but I am afraid, just as everybody else is afraid, of a bill that you know is going to break the hopes of the farmer and prove ineffective in the end.

Mr. RUBEY. We do not know that.

Mr. CONNALLY. I say I am afraid of it. But, anyway, some gentlemen say that "What is the Constitution among farm-relief politicians; what is the Constitution, anyway?" It is serious, gentlemen.

Mr. ASWELL. If you take it into the courts and there is a delay of two, three, or four years, what will happen?

Mr. CONNALLY. Of course, that is a possibility, as suggested by Doctor ASWELL. It is taken into the courts. About the time you get the equalization fee passed some fellow will take it into court, or before you get it organized some fellow will take it into the courts, and it will be declared unconstitutional, and, of course, the thing would blow up. And the hopes of the farmer would also blow up.

Mr. KINCHELOE. May I ask you a question there?

Mr. CONNALLY. Yes.

Mr. KINCHELOE. On the question of the practicability of getting a bill for the farmer that will do him some good I am frank to say to you I think there is a whole lot in the debenture plan. But do you think the President of the United States would sign that bill?

Mr. CONNALLY. I think he would come as near signing it as he would the Haugen bill. [Laughter.]

Mr. KINCHELOE. Then your bill is not any more certain than the McNary-Haugen bill?

Mr. CONNALLY. No. But I will say to the gentleman from Kentucky that when I have tried a fellow on one thing and I know what he has done on that I would a great deal rather take a chance on trying something else than to stick up the same old thing, as to which I know what he is going to do.

The President has vetoed the Haugen bill once and everybody knows he will do the same thing again. You remember a tale of a certain dog that went down a certain alley and what happened to him; he got badly licked and the dog, when invited to go down that certain alley again, observed to one of his dog friends, "No; I am not going down that alley. I know what will happen to me if I go down that alley." The Haugen bill has been "down that alley" once.

Mr. KINCHELOE. Do you think that bill would go down a single alley?

Mr. CONNALLY. The Haugen bill has been down that alley, and you know what the President did to it, do you not? My prediction is that if it is sent down that same alley again the same thing is going to happen to the McNary-Haugen bill. So I would rather try a different alley. But I will say to the gentleman, as I previously said, my bill is drawn so he can cut off the debenture plan and leave the export corporation or direct appropriation from the Treasury, with the power to purchase and carry farm products, somewhat as the Haugen bill, except the fee is eliminated.

The President indicated he would approve the Crisp bill, as I understand; he indicated that he would approve a bill drawn on the plan of the bill of Doctor ASWELL, of Louisiana. I voted for both of those bills.

One other thing about the equalization fee: That is why I voted against the Haugen bill. There are a lot of people in my State who are getting fat salaries from the cooperatives running around telling

the folks I am not in favor of the farmer. I have got a farm of my own; my wife has got a farm; every member of my family has got land devoted to the raising of cotton, and I would be foolish if I were not in favor of something that would really help the cotton farmers.

My district is a cotton district, and I would be a much worse politician than most of you gentlemen are if I were really against something if it were helpful to the farmer. I want to say to those gentlemen who have been abusing me around over Texas, and saying I was against the farmer because I will not swallow the little homeopath prescription they press to my lips, that I am voting for the real farmers, and not for these fellows who hold fat jobs at the farmers' expense. If we pass a real farm relief bill some of the high-salaried lobbyists will lose their jobs, and they know it.

Let me see about the equalization fee—your equalization fee. What happens when the farmer is getting along all right—when he is prosperous? You do not put any fee on him, do you? No. You are not down there operating when everything is all right.

Then when the time of stress comes, when the farmer is broke, lying flat on his back in an emergency, then is the time that you come along and put the equalization fee on him and increase his misery and increase the load that is on him, and finish the operation by just about taking all that is left; that is what you do; because the only time you put the equalization fee on him is when he is already flat on his back because of overproduction, getting nothing for his products, when he owes money at the bank that he can not pay; and then the farm board, sitting up here in Washington drawing these big salaries, will say, "Well, the people engaged in agriculture are in a bad fix; now, go ahead and take $10 to $25 out of each bale of cotton as a tax or fee."

Mr. RUBEY. That may explain why all the banks in Illinois are writing letters asking us to pass the McNary-Haugen bill?

Mr. CONNALLY. Yes. They say, "Agriculture is down and out, and now let us come along and put the fee on them and get some money to pull him out of the hole with."

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Mr. CONNALLY. I do not believe, gentlemen—and I am serious about this—that if the fee were constitutional that it is workable. I do not believe it is practicable; that every time a fellow sells a bushel of wheat or a bale of cotton to have some fee collected. I observed that the other day, and I shall not go into it again.

But, what else is wrong with the equalization fee? One of the troubles about legislation at Washington is that there is always some rejoicing when somebody gets a law passed to benefit them, but they want it to operate on everybody else but themselves. The gentleman who spoke this morning, with all due respect to him, representing the dairy interests, is strong for the Haugen bill to operate on everybody except his concern. He wants other people to pay equalization fees, but he does not want the dairymen to pay it.

What else do we find here? We find that the Haugen bill is the spawn and the child of the cooperatives.

My bill provides that loans shall be made to the cooperatives to carry their surpluses. But the trouble about the Haugen bill is that the equalization fee is designed to be a tax on every farmer in the United States, and then when they get the money it is turned over to the cooperatives to handle. You can not dodge that. You can look off at the windows when I am saying that, if you want to, and twirl a pencil and scratch your head and smooth your hair. But that is a fact, that the Haugen bill is designed to tax every farmer in the United States, and take the money after it is collected and turn it over to a little group representing 7 or 8 per cent of the farmers to buy and hold and speculate on agricultural products. That group has got lobbyists here in Washington, and have had them; and it is all right for them to have them. But somebody has got to represent the 92 per cent of the unorganized farmers in this country, and I, for one, am not going to place an illegal, unconstitutional tax of $10 to $25 a bale on every cotton farmer in Texas and turn the money over to 7 or 8 per cent of the farmers who are directly and personally interested in a particular bill, the Haugen bill.

Now, what is there about the McNary-Haugen bill? What is there, gentlemen of the committee, I pray you? What is there that has suddenly made that bill so perfect until it is the only bill that has the benediction of certain authorities and certain interests? Three times we have had it, three editions of it, and each time we have been told that "you must not lay unholy hands upon it. You must not amend it; it is perfect." And yet each time they bring in a new Haugen bill and we are urged to observe that it is finally, in its essence, absolutely perfect.

I do not see anything about the Haugen bill that requires me to approach it with bared head and naked feet because the ground is holy. And yet they tell us it is sacred, sanctified ground. "When you come into the presence of the Haugen bill, pull off your shoes, and pull off your hat, because it must not be touched; it must not be amended. This is the only bill that has received the approval of the farmers; and we are the farmers. We know it is the right bill because it is the farmers' bill, and we are the only ones of the farmers who have been consulted."

What is there about that bill, what is there about the substance of it, that makes it so sublimated? What is there in the texture of the paper upon which it is written that makes it so superior to every form of agricultural legislation? What is there about the brains that fabricated it that makes it superior and better than anything else? I would like to know, gentlemen.

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I am about through, Mr. Chairman. I want to know just one other thing. What sort of a mercurial or other bath has the Haugen bill had to make it absolutely without sin, without fault, absolutely impeccable? They contend, generally, that the bill is dead. You may not know it. The bill is dead, and you are going to have to embalm it; because the Haugen bill is dead, and everybody but you, the Chairman, seems to know it is dead. Everybody in this room who believes the President is going to approve that bill when it reaches him, like the Chairman does, hold up your hands; and I want the newspaper reporters to note who hold up their hands. No one holds up his hand. One word to this gentleman who said he is in favor of the chairman's——

Let me ask the Chairman this question. He admits that agriculture is not getting its deserved fair treatment under the tariff.

The CHAIRMAN. Oh, no; that is not the question.

Mr. CONNALLY. All right; if you will let me ask——

The CHAIRMAN. The large exportable surplus——

Mr. CONNALLY. Answer me this question, When you do export agricultural products abroad, are you opposed to letting those farmers bring back foreign goods in exchange for agricultural products?

The CHAIRMAN. I believe in dealing with everybody fairly.

Mr. CONNALLY. Answer that question. Are you willing to do that?

The CHAIRMAN. What?

Mr. CONNALLY. You heard my question.

The CHAIRMAN. Bring about——

Mr. CONNALLY. Bring back free foreign goods in exchange for agricultural products. Are you in favor of that?

The CHAIRMAN. They are not doing——

Mr. CONNALLY. I am not asking what they are doing; I am asking what they are going to do. Are you in favor of that?

The CHAIRMAN. Certainly.

Mr. CONNALLY. Then the gentleman is for my bill. Now, gentlemen, I want to thank you. I hope the chairman and the others will not think because of my zeal that I was discourteous. I did not mean to be. You have been very generous to me.

Let me say this in passing: You are up against a condition and not a theory. Do you really want a farm relief bill or do you simply want to pass something up to the President and have him veto it, and then go back down there and demagogue all around over your district and tell what you propose to do for the farmer. Which do you want to do?

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Mr. CONNALLY. Here are two pathways open. One pathway to pass some sort of a bill that has a chance to get by the White House. If you do that, you will do some good to agriculture. You may not do all the good that ought to be done, but you will do some good.

The other course is to walk up here and hypocritically embrace the Haugen bill again, with the equalization fee, and walk down to the White House with it, when you know that death awaits it.

Everybody knows the President's real objection to that bill was the equalization fee. He stated so to everybody. He said that that bill with that fee in it is not going to get by. I contend that any man who votes for that bill and sends it over to the White House when he knows it is not going to get by is trying to bunko the American farmer and trying to fool the American farmer.

ADDRESS OF HON. WILLIAM W. COHEN

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by my colleague [Mr. COHEN].

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting a speech delivered by his colleague, Mr. COHEN. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address of Hon. WILLIAM W. COHEN at meeting of Hadassah Zionist Organization, January 23, 1928:

THE ZIONIST MOVEMENT IN PALESTINE

Friends, the task on which your organization is engaged, and has been laboring during the past two decades, is a stupendous one, but you can point with pride at the achievements so far, and though completion of the work is not yet in sight a firm foundation has been laid, and enormous strides forward have been taken.

The United States Government indicated its interest and its sympathy with the Zionist movement long before the now-famous Balfour declaration of November, 1917, which declared that the British Government viewed with favor the establishment in Palestine of a national home for the Jewish people, and promised to use the government's best endeavors to facilitate the achievement of this object, while declaring nothing should be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by the Jews in any other country. President Wilson was in strong sympathy with the Zionist movement, and his part in the action by Great Britain was greater than is generally known or appreciated. By a joint resolution of the Sixty-seventh Congress, approved by President Harding on September 21, 1922, our Government gave its indorsement of the pledge which was incorporated in a mandate for Palestine and intrusted to Great Britain.

The average man, the average Jew, knows of Zionism in a general way, and is in accord with its purpose and its activities, and is even willing to contribute funds to help the work along. But, as a rule, it is all so far away and so vague that he does not realize what has been done and what is still to be done. If he could only know what has already been accomplished in transforming this bit of arid country, which is only as large as the second smallest State in the United States, with a total population (Arabs and Jews) aggregating approximately 850,000, less than any one of the boroughs of Manhattan, he would understand the tremendous results that have already been accomplished and the magnitude of the project.

At the time of the Balfour declaration, the Jewish population of Palestine was about 50,000; to-day it is about 175,000, comprising 20 per cent of the total population. These have been drawn from all parts of the world, demonstrating very clearly the strong bond of religion which has given so widely different types the tie which has existed throughout the centuries. Not all who go to Palestine remain there, but the proportion of those who remain over those who find the vicissitudes of a new country too much for them is so great that it has been the source of the most encouragement for the workers who are so earnestly laboring for the Jewish homeland.

Land has been given to the Jewish settlers, tools provided, mortgage and credit facilities given, schools established, and a modern health system introduced by the Hadassah. A sound nucleus has been achieved, and growth should be steady along constructive lines. Through the Jews scientific agriculture has been brought to Palestine. Though the Arabs still use the ancient methods, the example of the Jews has been most salutary, and they are slowly discarding the former in favor of the up-to-date ones. Electricity is available in Palestine through a concession on the Jordan River granted to a Jew. Irrigation work on a large scale has been done; swamps have been drained and arid districts reclaimed for cultivation.

The Keren Hayesod, better known as the Palestine Foundation Fund, supplied the money for the erection of living quarters and farm buildings, the purchase of livestock, agriculture implements, and seeds. Through the Rothschild villages, established by Baron Edmond de Rothschild, of Paris, oranges and tobacco have been added to Palestine's exports.

One of the most important of the activities of the Zionists is the work of the Hadassah medical organization, which has brought healthful conditions into Palestine for the first time in many centuries. Ten years ago Palestine was a land of epidemics, ailments, and diseases. At that time, in the Arab population, a large percentage of the children suffered from the terrible scourge, trachoma, which led to the presence of an unusually large percentage of blind, while many other contagious diseases ravaged the land. Sanitation was completely ignored in the Arab villages, and they were places of pestilence and misery. Hadassah inaugurated health methods modeled after those employed by Colonels Goethals and Gorgas in the Panama Canal Zone. It maintains almost a score of hospitals, many dispensaries, and traveling units, which are available to all the inhabitants, regardless of race, creed, or religion, and is a blessing for which all thank the Jews.

From the earliest days of the Turkish régime, the Jews in Palestine have fostered public education for Jewish settlers. The Arabs were illiterate, but, as a result of the Jewish example, their standards improved and the Palestine government was obliged to erect schools and provide teachers. To-day, the Arab schools are maintained exclusively by the Palestine government, giving the Arabs free education, while the Jewish schools receive but a small fraction of the cost of their school system as a grant from the Palestine government. Every Zionist village has its schools; there are quite a few high schools, a technical school, a number of normal schools, and, chief of all, the Hebrew University on Mount Scopus. The school system of Palestine compares very favorably with the schools in some of the Southern and Western States, except in the large cities. As you undoubtedly know, the little one-room, old-fashioned schoolhouse is still used in parts of the United States.

In this connection, I want to call to your attention the fact that the Palestine government at presents expends about $380,000 a year for the education of the Arabs, but contributed only about $50,000 for the education of the Jews, even though the Jews pay about 40 per cent of the taxes. This situation is obviously inequitable. Jewish education should be provided for the same as Arab education and should receive equal treatment at the hands of the government.

One of the most gratifying achievements is the revival of the Hebrew language, which is now used in school and university, in the factory and farm, on the streets and in the courts, in the textbooks, and newspapers. I am informed that there has just been issued a medical journal by the Jewish physicians of Palestine in the Hebrew tongue, with modern terminology in the Hebrew language.

It was only yesterday that I had the pleasure of speaking to my dear friend, Judge Jeremiah T. Mahoney, who told me of the surprises he met with on his trip to the Holy Land three years ago. He visited Palestine and the surrounding country and was amazed at the achievements and progress of the settlers, which, of course, were only made possible by the work of the Zionist organization.

Judge Mahoney compared the Jewish settlers with the Pilgrims and Puritans of early American days—the same spirit of determination and self-sacrifice for an ideal of a home and a country. This ideal was realized by the American settlers and is well on the road to materialization for the Jewish pioneers.

He told me that the colonists were deserving of unbounded credit for what has already been accomplished, and that they were entitled to fullest cooperation not only from the Jews but from the Christians throughout the world in the way of money and financial backing, and also in the way of moral and friendly assistance. They were making a garden out of a desert; they were restoring not only for themselves but for the Christian world the spot which is looked on and worshipped as the birthplace and cradle of Judaism and Christianity.

Though Judge Mahoney was greatly impressed with the progress that had already been made, he could also see the potentialities that were lying dormant, awaiting the assistance of the civilized world to bring to fruition.

We must realize that the work once started can not be allowed to stop; that it is up to us to do everything in our power to raise the finances necessary to bring this work to a successful conclusion.

I want to thank you for giving me this opportunity to be with you to-night. I want to assure you that I am always ready and willing to be called on at any time to give you all the assistance I can, personally and officially.

PERMISSION TO ADDRESS THE HOUSE

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that on Tuesday next, following the reading of the Journal and the disposition of business on the Speaker's table, the gentleman from Texas, Mr. WILLIAMS, may address the House for one hour.

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

There was no objection.

ADDRESS OF HON. WILL R. WOOD

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the Lincoln Day address of the gentleman from Indiana, Mr. WOOD, delivered at Miami, Fla.

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

There was no objection.

Mr. THATCHER. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert the following address of Hon. WILL R. WOOD, chairman of the National Republican Congressional Committee, before the Dade County Republican Club, Miami, Fla., February 11, 1928:

LINCOLN

My friends, we are met to do honor to the memory of Abraham Lincoln. It is altogether fitting that upon the anniversary of the birth of this great American, American men and women of to-day should take thought upon his life and works. For the value of a life is in its precepts which we may emulate. How rich was the life of Lincoln in the examples which make for the highest type of citizenship. How well he understood the spirit of our institutions and came better to understand them as hour by hour and day by day, with patience and with tolerance, but with "firmness in the right, as God gave him to see the right," he grappled with the problems that arose to plague and perplex him. As has been said of him so well by the daughter of his faithful secretary and biographer, John Nicolay:

"The truth is that Lincoln was no prophet of a distant day. His heart and mind were busy with the problems of his own time. The legacy he left his countrymen was not the warning of a seer, but an example and an obligation to free their own dark shadows with the sanity and courageous independence he showed in looking upon those that confronted him."

"An example and an obligation," that was in fact the legacy he left us. An obligation to meet with patience and with courage, in accordance with our ability and our strength, the problems of our times as he met those of his.

Others more gifted than I, on countless such occasions, have painted and will paint the figure of Lincoln in its more heroic outlines. Viewed in the perspective of the waning years, the figure is indeed heroic, and it is well for those so gifted to enrich our literature with the eloquence and the imagery which it so bountifully inspires. For Lincoln was not an ordinary man. He rose above his fellows from obscurity to well-deserved and undying fame. A man of extraordinary ability, native and acquired, he gave to his country in its hour of greatest trial extraordinary services; and not alone by reason of his ability, but, better still, by reason of his faith. Yet I would not have the beautiful word pictures that have been given us remove him too far from the hopes and aspirations of the generation that must grapple with the problems of our day and of the generations yet unborn. I would not have the ideal set so high that we may not hope to approach it.

For, my friends, Abraham Lincoln was very human—a man who approached his problems much as other men, in uncertainty and sometimes in fear, whose purposes were often misunderstood, whose later strength grew out of his earlier failures, and who never for an instant regarded himself as heroic.

It may well be said of him, as was said of an earlier great American by a gifted orator of our day, that "if he had been impeccable, incapable to err, with no trace about him of our human clay, a Titan in strength, but with no touch of weakness, we should be honoring to-day the birth not of a man but of a god. A superb flower of our race, he was still a man and he is nearer to us because he was a man." Let us strive to keep Abraham Lincoln near to us, or, rather, let us keep as near to him as we can.

My friends, I am a believer in political parties. I believe it is the duty of every citizen to belong to a political party; for ours is a government of parties, and we can change it from the form that has stood the test of time to something—we know not what—no less surely by open revolution than by breaking up into groups, cliques, and blocs, vainly seeking our narrow, selfish, and sectional ends. Under our form of government, the parties receive their commission from the people and are held responsible by the people for the conduct of public affairs. They go before the people in biennial and quadrennial elections to make an accounting. If a party's ability to carry out its policies be destroyed by the destruction of party loyalty and party solidarity, then its responsibility for government is destroyed, for the people can not hold cliques and blocs to an accounting.

Notwithstanding, therefore, that it has become somewhat the fashion among the new intellectuals, living in that rarer atmosphere denied to less fortunate mortals, to deride political parties and ridicule party spirit, it is a source of much gratification to me to know that Abraham Lincoln also believed in political parties and that he joined one—the Republican Party.

He joined the new Republican Party because, after the deliberation characteristic of him, he decided that it most nearly fit his views, and that through its medium he could best accomplish his purposes. He might have held aloof because he thought there were designing and scheming men in the party who sought to use it for their selfish ends, or because his growing law practice demanded all of his time, or for any one of the innumerable reasons that men of his day and ours have shirked the duties of citizenship. But he took the time from his private affairs to enter the party councils and plan with his party associates for the good of his party and the good of his country and against the schemers who sought to serve only their selfish ends. From all that I can learn of him I do not think that if he lived and wrought in this enlightened age he would care greatly whether the party council in which he was engaged was called a "conference" or a "caucus" so long as he believed that in the main its purposes were for the best interests of the country as a whole.

Lincoln was a party man who thought, spoke, and wrote along party lines. In the truer and better sense of the word he was a politician who mixed with politicians of high and low degree. Through this contact he came to know men and gauge their purposes, and out of the knowledge so gained his statemanship grew. Moving too slowly to suit the hot-heads and radicals of his day, he yet moved too fast to suit the doubters, who were reluctant to move at all. Having a main purpose in view, he was politic to accomplish it.

He was not greatly concerned with the minor issues that fretted lesser men and warped their perspective. In his marvelously clear-minded way he waved aside nonessentials and drove straight to his point. He was concerned chiefly with fundamentals, and as a Republican I am glad to remember that more than 20 years before the birth of the Republican Party he took his stand for a principle that was to become a great fundamental principle of that party—the protective-tariff principle. In 1832, when he was a candidate for the Illinois Legislature, being only just past 23 years of age, in what has been handed down to us as his first political speech, characteristic in its brevity and pith, he said:

"Fellow citizens, I presume you all know who I am. I am humble Abraham Lincoln. I have been solicited by many friends to become a candidate for the legislature. My politics are short and sweet. I am in favor of a national bank. I am in favor of the internal-improvement system and a high protective tariff. These are my sentiments and political principles. If elected, I shall be thankful; if not, it will be all the same."

On another occasion he went to the nub of the tariff question when he said in his homely way that he did not pretend to be learned in political economy, but he thought he knew enough to know that "when an American paid $20 for steel to an English manufacturer, America had the steel and England had the $20. But when he paid $20 for steel to an American manufacturer, America had both the steel and the $20."

Though he was but 23 years of age when he made his first political speech, it will be noted that Lincoln was already thinking along national lines. Later he made a careful study of the tariff question, particularly in the campaign of 1846, when it was much to the fore, though but little that he said on the subject has been handed down to us. He was elected to Congress in that campaign and after his election made a further study of the question, as memoranda he then made show, so that he might the better discharge his duties as a Member of Congress, and he became confirmed in his view that a protective tariff was desirable as a great national policy, from which we could not depart without courting disaster.

It is unfortunate that there are but few quotations left to us from Lincoln's speeches on the tariff. But what few there are place him as a very ardent protectionist, and we have the most direct evidence that before the great struggle to preserve the Union came and engrossed his attention he made many tariff speeches, for in a letter to Dr. Edgar Wallace, under date of October 11, 1859, Lincoln wrote: "I was an old Henry Clay tariff Whig. In old times I made more speeches on that subject than any other. I have not changed my views." There can be little doubt that had he been preserved to serve his country during the days of reconstruction he would have again turned his attention to the tariff question and given to it the benefit of his clarity of thought and his enlarged national viewpoint.

For half a century a protective tariff has been regarded as a policy primarily for the benefit of manufacturers. Fifty years ago this view prevailed in the agricultural West, then just being developed. At that time the Mississippi River Valley, and the plains States, were spoken of as the granary of the world. We were a tremendous grain-exporting country. Land, at that time, was cheap, and apparently the supply was inexhaustible. The great western prairies were unfenced. Cattlemen started feeding great herds on the Texas prairies and drove them north as the season advanced to live on the fat of the land, unstaked and unclaimed. Labor was cheap. As a result, the western cattlemen and grain grower did not need, for their direct protection against foreign competition, any tariff. They could undersell the world and did do so, not only in domestic markets, but in foreign markets. Canada was still untouched as an agricultural country, the Argentine was practically unsettled; so was Australia and New Zealand.

The South shared this attitude toward the tariff. It was not only an agricultural section but a "one-crop" agricultural section. Its crop was cotton. It produced and exported approximately 60 per cent of the world's supply of cotton. Naturally, it needed no tariff to protect its only product which entered into the domestic and world markets. It opposed the policy of protection for other products, either agricultural or industrial, for it, too, was wedded to the belief that such a policy would increase the cost of all commodities it purchased (which was not true), and to the equally erroneous belief that even if protection had prospered other sections of the United States, the South would in no way benefit by such prosperity.

Years ago the agricultural West abandoned its opposition to a protective tariff. All its land was developed, its broad prairies were divided into relatively small farms, cheap labor had disappeared; modern farming methods demanded the introduction of machinery; the development of the country, such as the building of roads and irrigation plants, the setting up of governmental machinery, etc., tremendously increased taxes. The natural migration to the West created a demand for land which exceeded the supply and rapidly enhanced land values. The result of all this was an increase in the cost of production of grain and cattle. Simultaneously with this came the opening, the settlement, and the development of our three chief agricultural competing countries—Canada, Australia, Argentina.

The agricultural West soon found those countries were able—by reason of the very conditions which had favored it in the earlier days—to undersell our agricultural products not only in the foreign markets of Europe but in the American markets. It has been scientifically and officially determined that Canada can raise wheat at from 40 to 50 cents on the bushel less than can the grain growers of our Western States. It has been ascertained by exhaustive investigations that the Argentine can produce a bushel of corn for one-third the cost in the great States of Iowa or Illinois, and the Argentine cattlemen can produce a finished product, ready for the market, for 70 cents a hundred, while the best that can be done in this country on our large cattle ranches with the most modern methods is $3.20 per hundred. It has been ascertained that the dairy interests of New Zealand can produce butter at from 22 to 28 cents per pound less than it can be produced by the dairy interests of New York, Wisconsin, or Minnesota.

As a result the farmer of the Middle West has faced the economic facts, and he realizes his very salvation depends upon a protective tariff high enough to prevent these cheaply produced agricultural products from entering his home market.

A change has been going on in the South, and it is still going on. In fact, the South has entered upon a new era. Since the World War it has abandoned its "one-crop" system of agriculture. It is raising no less cotton, but it is raising a great many other things to which it formerly paid no attention. It is diversifying its crop products. It is engaging in fruit growing. It has developed into the market garden of the United States. It is engaging in the livestock industry.

Out of these changes in the agricultural situation in the South there is developing an economic change and a new political viewpoint. Southern interests realize that they now need protection. There is ample evidence of this. Declaring that "the protective-tariff principle is a recognized and extensively adopted program of our National Government," the Florida State Chamber of Commerce has memorialized Congress for higher duties upon such products as citrus fruits and vegetables, which are produced in Florida. Similar requests were made by the Florida East Coast Growers' Association, who not only went on record in favor of protective tariff on all such products but sent a delegation to Washington and filed a formal petition with the United States Tariff Commission.

At the annual convention of the Sheep Raisers' Association of Texas, held in August of last year, a resolution was adopted reading:

"We hereby agree that we will support in 1928 only those candidates for Congress and the United States Senate who will publicly declare in favor of a national policy of a just and equitable tariff protection."

Associations representing peanut growers of the States of North Carolina, Florida, Georgia, Louisiana, and Virginia have filed formal petitions with the United States Tariff Commission asking for increased tariff rates upon peanuts and peanut oil. Another petition filed with the United States Tariff Commission by Mr. L. B. Jackson, manager of the Georgia State Bureau of Markets, is signed by nine southern Democratic governors, protesting against reduction in the duty on vegetable oils. The nine Democratic governors of the Southern States who so affixed their signatures to this petition were: Clifford Walker, Georgia; Henry L. Fuqua, Louisiana; John W. Martin, Florida; M. E. Trapp, Oklahoma; Thomas G. McLeod, South Carolina; Austin M. Peay, Tennessee; Tom J. Terral, Arkansas; W. W. Brandon, Alabama; Henry L. Whitfield, Mississippi.

In taking this attitude, the South is merely returning to the doctrines of such Democrats as Thomas Jefferson, James Monroe, and Andrew Jackson. These earlier statesmen, to whom the Democratic Party now points as the founders of its faith, well knew that the first essential of political independence was economic independence, and that economic independence could not be attained by permitting the labor of other nations to perform the work which should be done by the labor of this Nation.

Thomas Jefferson stated, "My own idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we raise the raw materials."

In 1817, in accepting the election to membership in a society for the encouragement of domestic manufactures, he said:

"The history of the last 20 years has been a significant lesson for us all to depend for necessaries on ourselves alone; and I hope 20 years more will place the American hemisphere under a system of its own, essentially peaceable and industrious, and not needing to extract its comforts of the eternal fires raging in the Old World."

James Monroe in his inaugural address said:

"Our manufacturers will likewise require the systematic and fostering care of the Government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend, in the degree we have done, on supplies from other countries. Equally important is it to provide at home a market for our raw materials as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets."

Andrew Jackson, in a speech in the United States Senate in 1824, said:

"Providence has filled our mountains and our plains with minerals—with lead, iron, and copper—and given us a climate and soil for the growing of hemp and wool. These being the greatest materials of our national defense they ought to have extended to them adequate and fair protection, that our manufacturers and laborers may be placed in a fair competition with those of Europe; and that we may have within our country a supply of those leading and important articles so essential in war. We have been too long subject to the policy of British merchants. It is time we should become a little more Americanized; and, instead of feeding the paupers and laborers of England, feed our own; or else in a short time by continuing our present policy (that under the low tariff of 1816) we shall all be rendered paupers ourselves. It is my opinion, therefore, that a careful and judicious tariff is much wanted."

Henry Clay, in a notable speech in support of the protective tariff of 1824, outlined a situation which almost exactly parallels that of to-day. America's prosperity, he said, had been based upon an abnormal foreign demand, caused by the European wars—those of Napoleon and the lesser wars immediately following. With the advent of peace in Europe, he said, this demand was discontinued and there was lacking a market for American goods. America's agricultural productive power was developed beyond the possibility of absorption by Europe. What the United States needed, then, was a market for these products, the development of manufacturing industries and a manufacturing population, which would create such a market and would create such a variety of industries as to insure steadiness of the market. But, Mr. Clay said, without Government protection against the competition of foreign producers, domestic industry could not be established and maintained. A tariff which he then and there christened as "the great American policy" was necessary to insure the growth, the prosperity, and the stability not only of American industry but American agriculture.

That position was logical then. It is logical to-day. That was good American doctrine then. It is good American doctrine to-day. That was good Democratic Party doctrine in the days of Jefferson, Monroe, and Jackson, and if the Democratic Party is not to be wiped out in the South it must return to an advocacy of those principles to-day.

It must be realized that the American people go up or down together, they prosper or they suffer together, they progress or they decline together. What benefits the North and West and East must of necessity benefit the South. What causes business depression, industrial stagnation, general depression, and hard times in other sections of the United States has a similar effect upon the South. You people here in the State of Florida certainly realize that economic axiom. You are producing for northern consumers. Your prosperity depends upon the prosperity of those consumers.

The further development of your State and the several communities within your State, depends wholly upon the prosperous conditions of the other sections of the United States, not only because they are your customers, but because out of their surpluses, money is sent here to be invested for the purpose of assisting in your further development. These are basic truths, and yet, strange to say, the Democratic Party and free-trade advocates, deny them. The Democratic theory of free trade is based upon the false assumption that the American people are divided into two classes—producers and consumers—wholly distinct, absolutely separate, with interests that are sharply antagonistic. There is no such division. There can be none. Every consumer is a producer. Every individual produces something and consumes products of others. Any proposition which seeks to create such a division where none exists, and then seeks to prosper the so-called consumer at the expense of the so-called producer, is dishonest and dangerous. If adopted, it brings ruin to everyone. That is why hard times have resulted from every low tariff law enacted in the United States.

The Democratic Party, in order to carry out this theory that the producer and the consumer are two distinct classes eternally at warfare, urges the agricultural interests to destroy the tariff on industrial products so that they may buy manufactured goods from the cheapest industrial producers in the world. You have heard that doctrine preached in this community. But you may not have heard and you may not know that the Democratic free-trade orators of Tammany Hall urge the city wage earner to destroy the tariff on all agricultural products, including lemons and fruits of all kinds, in order that he may buy food from the cheapest agricultural producers in the world. You may not know that the Democratic free-trade speakers in the Middle West tell the grain farmer that there should be less tariff on fruits and nuts and vegetable oils, as well as manufactured products such as steel, pottery, and clothing, in order that he might reduce his living costs, and you no doubt have heard within your own community Democratic free-trade speakers tell you there should be no tariff on grain and meat products which are produced in the Central West.

In other words, the whole Democratic argument of lower tariff is essentially and fundamentally dishonest, because it would have each one to whom it is directed believe he would prosper by the inauguration of an era of cheapness for the products and labor of everyone else. It holds out to him a dishonest impression that this can be done without at the same time inaugurating an era of cheapness for the products of his own labor and land and a corresponding reduction in his own wage and income.

Free trade sets up "cheapness" as an economic ideal—a theory which has brought decay and ruin wherever put into practice. Cheap nations are backward, impoverished, and illiterate. A people with "cheapness" as a model have low, cheap standards of living, pauper wages, and lead a miserable, almost hopeless, existence.

The underlying philosophy of free trade is fallacious and dangerous, and whenever applied in the United States it has proved destructive of national and individual prosperity and has retarded human progress. It sets up cheapness as a standard of perfection in the economic world. No nation ever prospered or progressed with such a standard. Cheapness destroys initiative and prevents development. Benjamin Harrison said: "A cheap coat makes a cheap man." The primitive agricultural methods of cutting wheat with a sickle and separating the grain with a flail or by the tramping of animals are cheap, but no progressive nation indulges in those agricultural methods. Handmade goods by old women

and little children are cheap. Sweatshop labor is cheap. Coolie labor is cheap. Peon labor is cheap. Cheap products inevitably mean cheap labor—sweated labor, peonage, ignorant, illiterate labor. Cheap labor means cheap homes and low, cheap standards of living. No nation which clings to the false economic standard of cheapness has made any progress during the last hundred years. There are some in Europe, some in Asia, and some in Central and South America. They are not the abode of prosperity nor the dwelling place of contentment. Their standards are not those which the American worker and the American farmer chooses to follow.

Every time the Democratic Party persuades the American people to adopt a low tariff the free trader's ideal of cheapness is realized. Everything is cheap under a Democratic tariff, and nothing is cheaper than human labor, for millions then vainly seek employment. Farm products are cheap under a Democratic tariff, because they can not find a market at any price. Imported goods are cheap under a Democratic tariff, but the worker without a job and the farmer unable to market his crops have no money, so the bargains of cheap foreign goods are enjoyed only by the rich. Nothing is cheap to the individual who has no money and no source of income.

The cheapness attained during low-tariff eras is that brought about by destroying the purchasing power of American consumers and thus producing what we call "hard times." Once domestic production is destroyed, foreign producers may charge what they like.

The era of cheapness inaugurated by a Democratic tariff is always a period of disaster for America and her people. The progress of the individual, the community, and the Nation is financed out of accumulated savings. Savings are what is left of the pay in the envelope after the regular household expenses have been met. Savings are what is left of the proceeds of the year's crops or the year's business after the necessary expenses have been met. But during periods of Democratic tariff there are no pay envelopes; many of the crops are never sold, frequently never harvested. Business and commerce produce no surpluses; they operate at a loss and frequently discharge their help and close their doors. Savings do not accumulate under a Democratic tariff. To the contrary, they diminish. The accumulations of Republican prosperity are drawn upon during the operation of a Democratic tariff to tide the American people over the period of hard times.

There is complaint upon the part of the fruit growers and the vegetable growers of this State that the tariff is not high enough upon such products. You are feeling competition from citrus fruits grown in the Mediterranean countries, from other fruits grown in the Caribbean Sea territory, from vegetables grown in Italy and Spain, the West Indies, and Mexico. You are beginning to realize the destructive possibilities of cheap foreign products raised on cheap land, of cheap labor. You are beginning to realize the menace of the Democratic theory of cheapness as an ideal condition. You are beginning to realize the fact that you can not buy cheap stuff unless it is produced cheaply, and if it is produced cheaply the producer must suffer.

I am not any too familiar with the fruit and vegetable industry, but I believe I am correct when I state that one of the underlying principles of your industry in connection with the marketing of your product is a constant striving to "grade up" your goods. That is exactly the position of the Republican Party in regard to all products. It believes in a policy which will enable the manufacturer, and the farmer, and the cattleman, and the vegetable grower, and the orchardist to "grade up" his product, to put quality into it. The Democratic Party, on the other hand, stands for a policy of grading down everything, of opening our customhouses to a perfect flood of cheaply made articles and cheaply grown articles from every quarter of the globe, and thereby forces all the American producers, whether on the farm or in the factory, on the cattle ranch or in the orange groves, to grade down his product in order to meet the cutthroat competition from abroad.

The Republican Party holds that such a policy will drive this country into complete and hopeless bankruptcy. It says to the fruit growers and vegetable interests in Florida that if the tariff is not high enough—and it is not, according to the best information at my command—the remedy is not to turn to that party which is opposed to a protective tariff but to rally around and uphold the hands of that party which believes in a protective tariff and which is willing at the first opportunity to increase still further the schedules which are now upon the books.

What relief do the fruit and vegetable growers of the State of Florida expect if the Democratic Party regains control of Congress and writes a new tariff law? If you think your tariff is too low now, I have only to refer you to the last Democratic tariff act, the Underwood tariff, and cite you some of the differences in rates under that tariff and the present Republican tariff.

One reason the South and southern products do not have sufficient protection under the present tariff bill is because they had no one in Congress to represent them when the bill was framed. Your Senators and Members of the House of Representatives were free traders and they took no particular pains to see to it that adequate protection was given the particular products of this State. So long as you send Democratic free traders to Congress to represent your interests, you are going to get your interests represented according to the Democratic theory of a low tariff. Even if your own Representatives are disposed to write a bill giving you adequate protection, they can not do so if their party is in control.

Ladies and gentlemen, I have discussed at some length this subject of the tariff as affecting the South, for I believe it is vital to your interests here in Florida. It may seem a prosaic subject as compared to the great drama of events through which Lincoln moved, a heroic figure, yet I say to you my fellow Republicans it is not a prosaic question when you come to consider how vitally it affects not only your interests here but the material well-being of 120,000,000 of people throughout this broad land. The principle of a protective tariff is a great national policy which was under assault in Lincoln's time as it is to-day. It was worthy his study and defense and, as Republicans proud to follow in his steps, it is worthy of ours.

My friends, I want to leave this one further thought with you before I close, because it also has a peculiar application to our times. Abraham Lincoln was the friend of the downtrodden and the oppressed. He believed in equality and liberty, but with his clear insight he perceived there could be no equality and no liberty without respect for order and law. He recognized that both labor and capital have rights that must be regarded if we are to have industrial peace in justice to all, that a minority has rights that must be respected by the majority, else we would have tyranny, but first and foremost he was for the Constitution and for the enforcement of the laws enacted under the Constitution. If we were to have change, it was to be orderly change. No individual nor group of individuals had rights superior to the will of the majority, as duly expressed in the laws of the country.

In his early manhood he gave beautiful expression to this thought in a speech that can not be too often quoted. After pointing out that our gravest danger is not from without but from within, he said:

"Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, in spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice; and, in short, let it become the political religion of the Nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors sacrifice unceasingly upon its altars."

Let us hope that the Government for which Abraham Lincoln gave so much and the country that he loved so well will be protected against all insidious and evil influences that he would have plucked like thorns from the body politic, and that the Old Flag that he loved so well may continue unsullied and untarnished from within as it has thus far remained unsullied and untarnished from without. To him the flag meant all that Riley has had it say that it means:

"By the driven snow white and the living blood red
Of my bars, and their heaven of stars overhead—
By the symbol conjoined of them all, skyward cast,
As I float from the steeple or flap at the mast,
Or droop o'er the sod where the long grasses nod—
My name is as old as the glory of God."

In every mountain range there are a few lofty peaks that tower high above all other surrounding peaks. Since the beginning of the human race every age has produced a few characters with such transcendent genius in literature, statesmanship, art, or invention that their names will never be forgotten, and their influence will be as lasting as time.

Now that the animosity and bitterness of his time are forgotten, the fame of Abraham Lincoln will appear like one of the lofty mountain peaks to which I have referred, and his name will be forever written among the first of the few immortals that will survive the age in which he lived and wrought in so many ways for his fellow men. Monuments of stone and of bronze have been erected to perpetuate his memory, but after the last of these have crumbled into dust and rusted into decay the virtue of his deeds and the goodly influence of his life will remain imperishable as long as men love liberty, and as long as the world remains devoted to the principles of patriotism.

ADDRESS OF HON. FRANK L. BOWMAN

Mr. THATCHER. Mr. Speaker, I further ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by the gentleman from West Virginia, Hon. FRANK L. BOWMAN, at Huntington, W. Va., at the meeting of the Ohio River Valley Improvement Association, October 5, 1927.

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

There was no objection.

The address is as follows:

OHIO RIVER VALLEY IMPROVEMENT

Hon. FRANK L. BOWMAN. Mr. Chairman and members of the Ohio Valley Improvement Association, ladies, and gentlemen, just a little more than two weeks ago I received a very kind invitation from the secretary of this association asking me to be present and speak at the the thirty-third annual convention of the Ohio Valley Improvement Association at Huntington. Forgetting many things that I had set out to do, I accepted, and I find myself in the same predicament as the

old man who was leading his two calves to pasture. Everything went well until he reached the entrance to the meadow. There the calves would not stand while he let down the bars. He conceived the bright idea of tying the lead ropes to the straps of his boots, and just as he was letting down the first rail the calves started down the road, dragging the old man behind them. Finally he landed on the bias against a large tree with a leg on either side of it. The old man's friends came to his rescue, and as they ministered to him, he wiped his face with the shredded remnants of a shirt sleeve, looked up, and said: "Do you know that these pesky critters hadn't gone 300 yards until I knew that I had made an awful mistake?" [Laughter.]

So I am here to-day, my friends, realizing that I made an awful mistake in attempting to discuss the great project that confronts this association.

The recent disastrous flood in the Mississippi Valley has attracted the attention and thought of an entire nation. This catastrophe was a national calamity. It transformed a sectional problem into a national problem of great magnitude and importance. The irreparable losses of life and property have aroused a dormant conscience of our national responsibility and have inspired and charged that responsibility with a fixed determination to conquer and control the "untamed rivers" and to subject and utilize them for the peace, happiness, and prosperity of a great people. Water must no longer be a menace but a means of greater industrial and commercial development. This Nation must conquer and harness the rivers and transform their notorious and destructive waste of water into a great national resource. This is our national responsibility.

Water is our greatest undeveloped resource. The economic value of improved water highways has been recognized by our National Government, because they insure cheaper freight rates, reduce the cost of living, give the farmer and manufacturer broader markets, stimulate industry and commerce, and bring added wealth and prosperity to all our people. In spite of this recognition, many of our inland streams are natural enemies to industrial and commercial progress. If this condition is the result of our national policy, a new policy should be adopted which will comprehend the service of our inland waterways in the economic struggle of our Nation. Herbert Hoover says, "Every drop of water that runs to the sea without yielding its full commercial returns to the Nation is an economic loss." It is our problem to develop the commercial possibilities of our streams—including transportation, power, irrigation, conservation, and reclamation and forever drop the curtain upon our national dramas of destructive floods in which the Mississippi River and other rivers have played dominant and tragic rôles.

From an economic standpoint, the policy of controlling and preventing floods without destroying the commercial utility of our streams is most desirable, and from an engineering viewpoint the program is entirely proper and feasible. This plan would, in a large measure, check and reduce our great national losses from floods and droughts. It would add materially to the economic welfare of our country and its benefits would be reflected in the general prosperity of our people.

On the eastern slopes of the Rocky Mountains several large tributaries of the Mississippi River have their sources. Unmolested they flow through a semiarid territory approximating 2,600 miles in length and 400 miles in width, whose fertility lacks either the seasonable rainfall or irrigation to make it the most productive agricultural region in the world. According to reports, this territory produced one full crop in every seven or eight years. By reason of drought, the crop-page loss in this region last year was $800,000,000. Competent engineers report that it was the huge volume of water from these tributaries that raised the crest of the recent disastrous flood to heretofore unknown heights and added the additional destructive pressure against the levees of the southern Mississippi and caused a national economic loss of almost $1,000,000,000.

It seems anomalous that a destructive flood or an overabundance or a surplusage of water wreaking havoc in one section of the country should have its source in an arid region, which suffers continually from the absence or lack of water. Engineers say that it is both practicable and feasible to impound the flood waters of these mighty tributaries in a series of natural and artificial reservoirs and lakes and divert the waters into channels of irrigation in the arid and semiarid sections of the country when expedient and necessary. This would assist materially in the prevention of floods and at the same time would relieve a large agricultural area from the losses occasioned by drought. This is one phase of a practical comprehensive plan to prevent and control floods without destroying the utility of the water.

The Mississippi River with its tributaries, 59 of which rank as navigable streams, drain 32 States. This enormous watershed reaches from the Rocky Mountains to the Alleghenies, and from the Great Lakes to the Gulf of Mexico. It produces 58 per cent of all manufactured products, 80 per cent of the wheat, 93 per cent of the corn, 84 per cent of the cotton, 96 per cent of the coal, 93 per cent of the iron ore, 70 per cent of the petroleum, 80 per cent of the cattle, 63 per cent of the sheep, and 91 per cent of the swine produced in the United States. Here is the tangible evidence of a great empire of agriculture, mining, and manufacturing, an industrial empire susceptible of sustaining and employing many, many times the present population of the United States. Its industrial and commercial possibilities are beyond the range of human conception. This great region anxiously awaits the freedom from disastrous floods and droughts, and the development and improvement of 16,000 miles of navigable water constituting the largest and greatest system of cheap water transportation in the world. These achievements will permit the United States to enter every foreign and domestic market and maintain her commercial and industrial supremacy among the nations of the world.

In a limited and general way I have mentioned the problems of the Mississippi Valley for the reason that any effort and attempt on the part of our National Government to solve these problems will give greater impetus to the industrial and commercial development of the Ohio River.

We are primarily interested in the development of this great tributary of the Mississippi system. Flowing through the richest valley in the world, which abounds in mineral deposits of untold wealth and an almost inexhaustible supply of fuel, the Ohio River is destined to become a great commercial highway for the economic transportation and distribution of products from the farms and the factories and the mines. With the speedy completion of its improvements for canalization, it is predicted that the Ohio River will carry upon its heaving bosom burdens of trade greater than any other inland waterway and will erect upon its generous banks an incomparable empire of industry.

The commercial possibilities of the Ohio River with a thousand miles of navigable waters are strengthened when viewed in the light of the development of slack-water navigation for 37 miles on the lower Monongahela River. This river is a tributary of the Ohio River and is the greatest inland artery of water transportation in the world. It ranks with the Suez and Panama Canals. With a freight tonnage approximately 25,000,000 tons in 1926, it lacked 1,500,000 tons of equaling the tonnage of the Panama Canal for the same year, and a little more than 2,000,000 tons of equaling the the tonnage of the Suez Canal for the year 1925. The regularity and continuity of transportation and favorable freight rates, which were made possible by the construction of a series of locks and dams, have contributed materially to the industrial supremacy of the Pittsburgh district. The commercial utility of this stream is limited and restricted to the transportation of coal for fuel. By water transportation, it is estimated that the steel and iron industries of the Pittsburgh district save a sum approximating $16,000,000 annually on fuel alone.

With the remarkable accomplishments of the Monongahela River as a key, translate, if you will, the possibilities of the Ohio River, with its navigable tributaries penetrating the coal beds of Ohio, Pennsylvania, West Virginia, and Kentucky, whose combined coal deposits would supply the entire world with fuel for the next 25 years.

It is my understanding that the Ohio River will be completely canalized and made navigable at all seasons within the next few years, provided the Congress of the United States will make the necessary appropriations for the completion of the remaining seven locks and dams. Already 43 locks and dams have been constructed. The demands and needs for the completion of these locks and dams are just as urgent and necessary to-day as they were when the United States Government entered upon its definite program for improving the Ohio River. There should be no backward step. There should be no delay. Every legislative program or plan to solve the problems of the Mississippi River should contemplate immediate and final completion of the improvements on the Ohio River. The construction of locks and dams in the Ohio River is the beginning of flood control in the Mississippi and is the forerunner of commercial and industrial rehabilitation and development of our Nation.

At this point I want to congratulate the Ohio Valley Improvement Association on its noble fight waged and won, and to take this opportunity to express my full sympathy and accord with the objects and purposes of your association. I pledge my every effort to the successful completion of the canalization of the Ohio at the earliest possible date.

As your servant in the House of Representatives of the Congress of the United States, I shall regard it a signal honor of distinction to serve you in your efforts to develop the commercial and industrial possibilities of the Ohio River.

Since the World War we have been greatly concerned about the rehabilitation of the countries of Europe. In a measure, we have forgotten our national problems of rehabilitation and turned our eyes and outstretched hands of sympathy to the war-torn countries across the sea. The problems of Europe were our problems. No country could reclaim or redeem itself without the aid of America was our controlling thought. In settling our war claims with the countries of Europe, we canceled all obligations of money loaned them during the war and adjusted our claims by demanding payment of money loaned them after the war. The terms of these settlements give the debtor nations 65 years in which to liquidate their debts at a very small rate of interest, while we pay our own national indebtedness at the rate of $1,000,000,000 annually. I am not criticizing the lenient attitude of America in adjusting these claims. The settlements were based upon the capacity of the debtor nations to pay. They were just and equitable. I mention these things to show America's generous part in the rehabilitation of Europe.

I agree with our able Secretary of the Treasury, who, in my mind, is without a peer in the financial world, that the best way to get rid of a debt is to pay it.

That is the financial policy of our Government, and you will agree with me that it is sound. But we must not forget and neglect our own national problems of rehabilitation, which include the control and prevention of floods and the development and improvement of our inland waterways. If the prompt payment of our national war debt prevents or interferes with the commercial and industrial progress and rehabilitation of our own country, then America should avail itself of the same advantages and the same privileges granted by it to the debtor nations of Europe.

Our debtor nations of Europe have made amazing progress in the development and advancement of industry. The productive capacity of Europe is more than 25 per cent greater than it was before the war. Spurred and goaded by the necessity of reconstruction, they contended valiantly for economic self-efficiency. Tariff barriers were hastily erected to protect infant industries. Governments assisted and aided industry. Water power was developed. Streams were made navigable. Only by an intensive industrial development could Germany meet her crushing indemnity, and only by the same means could France and Belgium rebuild their devastated countries. The great World War demonstrated the capacities and capabilities of each national unit, and peace accentuated all economic forces to maintain industrial supremacy and seek new markets for their products.

Out of the rising tide of industrial competition comes the new tariff law of France which is a direct challenge to America.

This is the same France whose debt to America well-meaning Congressmen want us to cancel. This law embodies the principles of a protective tariff and free trade.

Against the products of America it raises a high protective barrier of excessive duties, while Germany and Belgium may enter the same products at a very low rate of duty. It creates favored nations. It discriminates against America. It is an embargo against the products of America.

This law is not without its significance. It denotes a new alignment in the economic world. It eliminates territorial boundaries, dissolves the social and political traditions of centuries, and creates a new economic nationalism. It represents an industrial coalition against the United States. In the mad struggle for the world's trade, it is Europe against America. It is the unification of Europe in industry and commerce, which threatens the economic supremacy of America.

Will America accept the challenge? America is the largest and richest Nation in the world. It is not dependent upon any other nation. It has within its broad boundaries the natural resources so necessary and essential in the economic welfare of nations. America should develop these resources to compete with a rejuvenated Europe in the trade of the world. It should turn its attention to our national problems and forget for a time the problems of Europe. To us international problems are not as serious as our internal problems. It should prevent the economic losses from floods and droughts, and develop and improve the navigability and utility of our inland streams. It should take its meddlesome fangs out of business and peace prattling about Government control and regulation of industry. It should encourage and aid industry and commerce by stimulating production and by developing, producing, and protecting markets. These things will inspire confidence and insure the stability and permanence of our industrial supremacy. By doing these things, we shall know that America has accepted the challenge. [Applause.]

ADDRESS OF HON. REGINALD M'KENNA

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech of the Right Hon. Reginald McKenna, former Chancellor of the Exchequer of Great Britain, on the Federal Reserve System, and the comments of the London press thereon.

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

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker, in compliance with the unanimous consent granted by the House to extend my remarks in the RECORD and to incorporate the address of the Right Hon. Reginald McKenna as chairman of the board of stockholders of the Midland Bank (Ltd.) of London, I wish to say that the Midland Bank (Ltd.) is the largest privately owned bank in the world, with assets equivalent to about $2,000,000,000. This report of Mr. McKenna's speech was printed in the London Times of Wednesday, January 25, 1928, and gives Mr. McKenna's views as to the control of the value of gold exercised by the American Federal reserve system through its open-market operations and its changes in the rediscount rate and by other means.

Mr. McKenna is a former Chancellor of the Exchequer of Great Britain, and his observations on financial and economic questions are given great weight by students of these questions throughout the world. I think the country will appreciate being advised of Mr. McKenna's views, and I hope the Members of the House will study the same with great care. It has a special bearing upon legislation which I introduced at the last session and which I will reintroduce in the near future, which will have as its primary object the direction to the authorities of the Federal reserve system to exercise their great powers to promote stability in the purchasing power of gold, meaning the purchasing power of American money.

To have an idea which I have been presenting to the Banking and Currency Committee of the House and advocating in public addresses for two years, and which has from time to time been treated as an impossible dream by some financiers of prominence and some of the officials of the Federal reserve system, now treated thus seriously on so formal and important occasion by possibly the leader of the banking fraternity of the world is exceedingly gratifying to me, especially as I expect in the near future to direct the attention of this Congress and the Nation to the need of stability in the purchasing power of our dollar, to the end that serious inflation and deflations may be avoided, and which my study of the question has convinced me may be and has been for three or four years influenced and controlled through the use of the great powers which we have given to the Federal reserve system and which I am insisting shall be adopted as a policy toward which such powers shall continue to be used.

The speech is as follows:

MIDLAND BANK (LTD.)—GROWTH IN DEPOSITS—SATISFACTORY PROFIT AND LOSS ACCOUNT—SEVENTY-SEVEN ADDITIONAL BRANCHES OPENED—NEW CAPITAL ISSUE—TERMS OF THE OFFER TO SHAREHOLDERS—CREDIT-CONTROL PROBLEMS—DEVELOPMENTS OF MONETARY POLICY IN AMERICA

The ordinary general meeting of the shareholders of the Midland Bank (Ltd.) was held at the Cannon Street Hotel, London, E. C., yesterday for the purpose of receiving the report and balance sheet, declaring a dividend, electing directors and auditors, and transacting other ordinary business.

The chairman (the Right Hon. R. McKenna), who was received with cheers, said:

"My lords, ladies, and gentlemen, a year ago I ventured to suggest that there should be an inquiry into the working of our credit and currency system. The suggestion was not made in a critical or controversial spirit, but I thought it possible, as I still do, that an examination of the provisions of the bank act of 1844 would show that they are not well adapted to our actual requirements. It appears, however, that the treasury see no sufficient reason for an inquiry, which they think might have unsettling effects in many directions. Although I can not agree with this opinion, I do not propose now to press the matter further. To-day I shall turn to another subject and ask you to consider the present position of gold as an international standard of value.

"Nearly three years have elapsed since the pound sterling was reestablished on the gold basis, and most of the important currencies are now stabilized in relation to gold. This general reversion to gold gives the appearance of a return to pre-war conditions in matters of credit and currency, but if we look further into the question we shall find that there has been a remarkable change. The development of central bank policy in the United States has shown that, while gold may be retained as a medium for making international payment, it can be deprived of its function as the ultimate standard of value. How this came about, the stages through which American policy has passed, and the meaning of the conclusion deserve our close attention.

PRE-WAR CREDIT SYSTEM

"Let me begin by reminding you of the conditions before the war. At that time the central banks adopted a purely passive attitude with regard to the control of credit, allowing the movement of gold into or out of a country to regulate the internal supply of money. If gold flowed in freely, credit and currency expanded; if more credit was created than was required to support the current growth of business, prices rose. If gold flowed out, credit and currency contracted; the growth of business was checked and prices showed a tendency to fall. It followed from this that the current course of world prices was determined by the supply of monetary gold. This does not mean that other causes, such as improved methods of production and communication, do not affect the price level, but these only come into play over more extended periods of time.

"This passivity of the central banks probably arose from the peculiar structure of the British central banking system. London was then the unchallenged financial center and free-gold market of the world. In addition, Britain, as the world's principal creditor, was the main source of supply of new capital, and international trade was for the greater part financed by sterling bills. These various factors taken together constituted London the point through which a surplus or scarcity of gold made its influence felt, and the British price level was the medium through which gold operated on the price levels of

all other countries. Under the British central banking system only a small part of the country's total gold holding was available to meet a demand. So small, indeed, was the primary reserve in relation to the demands which might possibly be made upon it that the principal aim of our central-bank policy was to protect it from withdrawals of gold, even when these were really of quite moderate dimensions in relation to the total stock in the country. The movement of gold became a matter of the utmost importance, and the means of counteracting its influence on the supply of money and the course of prices hardly existed. In these circumstances there was little scope for the formulation or exercise of conscious policy, and the principles of central-bank credit control remained undeveloped, if not unknown.

POSTWAR GOLD PROBLEMS

"The first authoritative suggestion that gold movements need not have predominant importance in the control of credit and currency appeared in the recommendations of the International Economic Conference held at Genoa in 1922. The financial commission appointed at that conference, perhaps the most important of its kind that has been held, were deeply impressed by the danger of a gold shortage. As advised by most of the leading authorities, the commission took the view that a scarcity was to be looked for in the absence of any unforeseen developments in production. They were alarmed at the prospect of the supply of gold to the principal trading countries of the world becoming inadequate to provide for such an expansion of credit and currency as would be needed to meet the requirements of growing trade. Accordingly the commission's recommendations were aimed at economizing the use of gold, and one of their main suggestions was that instead of reverting to the pre-war system under which each country held its own gold stock, gold-exchange standards should be adopted by most countries, leaving only a few to hold the ultimate metallic reserves for the entire world.

"The purpose of the conference in propounding measures to economize gold was undeniably sound, and it is a matter of regret that the suggestions for the adoption of the gold-exchange standards have been widely departed from. The proposal, it is true, was at first incorporated in a modified form in schemes of reorganization in many parts of the world, particularly in central Europe and South America, but unfortunately the system has come to be regarded as merely a step on the road to a full gold standard. Already many countries actually on a gold-exchange standard are unprofitably using their foreign assets in the purchase of gold reserves.

"The eager desire to accumulate metallic reserves is no doubt prompted by the recollection of pre-war practice and ignores our more recent experience, that, even in a gold-standard country, gold need no longer be the controlling factor in the supply of money. This brings me to the example of the United States, and I shall endeavor to outline the stages along which that country has moved in its progress from pre-war to postwar conceptions of monetary policy. If, however, the successive proceedings of the American central reserve banks are to be fully understood, we must continually bear in mind a general proposition which lies at the root of monetary theory and to which I have referred on several previous occasions.

CENTRAL-BANK CREDIT CONTROL

"Stated in the briefest terms, the proposition is that every central-bank purchase and every loan by a central bank increases the cash resources of the other banks and provides the basis for an expansion in the volume of credit, or, in other words, of money; while every sale by a central bank or repayment of a central-bank loan reduces bank cash and restricts the supply of money. This proposition holds true whatever the central bank may purchase or sell, whether it buys or disposes of gold, bills, securities, or any other asset. From this it follows that central banks possess the power to regulate the supply of money irrespective of gold movements. According to their view of trade requirements they may, if they choose, wholly or partially offset a purchase of gold by a sale of other assets or a sale of gold by a purchase of assets. Obviously this power has always been inherent in a central-bank system, and, apart from its ordinary day-to-day business, the Bank of England used from time to time in pre-war days to make purchases and sales of assets other than gold. But such transactions were only undertaken as an auxiliary to bank rate policy, which was itself determined by actual and potential movements of gold. Purchases and sales of gold were alone regarded as the effective control of the volume of bank cash and consequently of the supply of money.

AMERICAN EXPERIENCE

"I come now to the story of the recent development of monetary policy in the United States. In consequence of the enormous accumulation of gold, coupled with movements into and out of the country on a scale which if left uncontrolled would have proved disastrous to the stability of the American price level, the attention of the reserve banks was forcibly directed to their controlling powers. Beginning with only a partial use, in the course of time they have learned to utilize these powers to the full. All the stages in the development of American practice can be seen in the 13 years since 1914, which I divide into five periods. Each of these is marked by distinctive gold movements, and I propose to show how the resulting problems have been successively dealt with.

PERIODS OF INFLATION

"The first period runs from the outbreak of the war to the middle of 1919, and covers the beginning of the great westward flow of gold to America. All the incoming gold, amounting on balance to over one thousand million dollars, was purchased by the Federal reserve banks, and following pre-war practice was allowed to become the basis of additional credit. As if this were not enough, the central institutions created a further basis of credit by discounting bills for member banks for very large sums, and thus the ground was laid for the vast expansion of credit which actually occurred. The demands for credit on this inflationary basis were insatiable. No sufficient measures for counteracting the effect of the incoming gold had yet been adopted, and inflation ran a free course.

"The second period runs from the middle of 1919, when the war-time embargo on gold export was removed, to the late summer of the following year. During this period dollar balances owned by South American and Far Eastern countries were withdrawn in gold, and America lost a net amount of nearly $400,000,000. The export demand was met by the reserve banks, but it should be noted that the sale of this gold did not permanently deplete bank cash. Under the influence of the current inflation the reserve banks continued freely to discount bills and buy earning assets to such an extent that the supply of bank cash was considerably increased, and an enlarged basis was provided for further credit inflation.

SCIENTIFIC GOLD CONTROL

My third period covers more than four years and extends from the summer of 1920 to the last month of 1924. This period was marked by continuous imports of gold, and already in the early years we perceive a growing anxiety on the part of the central banking authorities with regard to the inflow. They realized that if the gold were allowed to function to the fullest extent it would lead to a further expansion of credit and a perpetuation of the evils of inflation. They determined therefore, as far as possible, to deprive the incoming gold of its credit-creating capacity until the demands of trade should call for a larger credit basis.

The period I am now reviewing falls naturally into two parts; in the first the gold was neutralized, in the second it was allowed to form new bank cash. In the first two years, which covered the liquidation following the postwar "boom," one thousand million dollars of gold were imported and bought by the reserve banks. The immediate effect of the purchases was to increase bank cash, but the whole of this increase was used by the member banks to pay off maturing bills held by the central banks, and on balance the volume of bank cash was unchanged. During this time policy was at work. The gold was absorbed by the reserve banks and held by them in place of discounted bills. This process of acquiring gold in lieu of interest-earning assets was expensive and severely curtailed the income of the reserve banks. But their object had been achieved. The effect of the inflowing gold had been nullified in accordance with the dictates of policy, and pre-war practice was in process of abandonment as unsuitable to the novel conditions confronting the American authorities.

"TREATMENT OF INFLOWING AND OUTFLOWING GOLD

"During the second half of the period the inflowing gold was treated in an entirely different manner. Industry was recovering from the slump, trade was in process of development, and the banks were being called upon for larger supplies of money. The necessary credit expansion could only be effected upon a broadening basis of bank cash, and the incoming gold was utilized for this purpose. It was paid into the reserve banks and some of it was allowed to form a permanent addition to member banks' reserves. So insistent was the demand for money that bank cash was also provided by reserve bank purchases of securities and other earning assets, the result of the increase in bank cash being an expansion of nearly $8,000,000 in the deposits of all the banks in the country. Incidentally it should be noted that the reserve banks did not themselves retain the incoming gold, but handed it over to the Treasury, receiving in exchange gold certificates, which they put into circulation in place of Federal reserve notes.

"We now come to the fourth period, which, in contrast with that preceding it, was characterized by an outflow of gold. Between December, 1924, and the end of 1925, $150,000,000 of gold were exported from the United States. The whole of this amount was sold by the reserve banks, who did not, however, allow bank cash to contract. As gold was withdrawn the volume of bank cash was maintained by the acquisition of earning assets, so that, notwithstanding the outflow of gold, credit was actually increased in response to the needs of business. At the same time the position of the reserve banks was improved by the attainment of a higher proportion of earning assets.

"My last period covers the 22 months to November, 1927, during which gold again flowed into the United States, though the movement was of relatively small dimensions compared with previous years. The direction of the flow was by no means constant and was complicated in the

later months by earmarkings and releases on foreign account, but whether the movement was temporarily inward or outward the reserve banks continued to ignore it in pursuing their credit policy.

SUMMARY OF AMERICAN EXPERIENCE

"I will now summarize the developments in the years since 1920, the period during which the reserve bank credit policy has been most actively in operation. On balance $1,700,000,000 of gold have been imported into the United States. Over one-half of this amount has been absorbed into the Federal reserve banks, while the remainder has been taken by the Treasury as backing for gold certificates which have gone into circulation in the place of Federal reserve notes. Of the total import only one-third on balance has been allowed to form new bank cash. Throughout the entire period, whether gold was flowing in or out, the central banks have been careful as far as possible to regulate the supply of bank cash in accordance with the needs of business. Trade has expanded rapidly and has been accompanied by a growth in bank deposits amounting in the aggregate to $15,000,000,000, an increase of 40 per cent. Meanwhile, the almost uninterrupted prosperity enjoyed by America has been attended by a large measure of stability in the price level.

TEST OF SUCCESS OR FAILURE

"Here we find ourselves face to face with a definite test of success or failure in monetary policy. Temporary booms can always be obtained by inflationary methods, but it is certain that prosperity on a sound and lasting basis can not be secured except on a fairly steady price level. It must be remembered that, whether we are on a gold or any other standard, the direction in which the price level moves is immediately determined by the volume of money, as modified by its rate of turnover, in relation to the volume of business. If the supplies of money increase beyond the requirements of business, prices tend to rise; if, on the other hand, the supplies of money are inadequate, prices fall. The relation between money supplies and business requirements, viewed in its effect upon the price level, should then be the first care of the central banking authority, and we find on an examination of American statistics for recent years that movements in the price level upward or downward have never been allowed to proceed far. We must therefore conclude that the monetary authorities have met with a high degree of success in the formulation and execution of their policy. This they have done under conditions of great difficulty, brought about by gold movements of unprecedented magnitude.

THE DOLLAR STANDARD

"It is necessary now to observe the bearing of American monetary policy on the operation of the gold standard. To-day, as before the war, the price of gold in America is fixed, and we are apt to assume that the value of gold continues to govern the value of the dollar. But such an assumption is no longer correct. While an ounce of gold can always be exchanged for a definite number of dollars, the value of the ounce will depend upon what these dollars will buy, and this in turn will obviously depend upon the American price level. If the price level in America fluctuated according to the movements of gold, the purchasing power or value of the dollar would still depend, as it did formerly, upon the value of gold. But we know that this is not so. As I have just shown, the American price level is not affected by gold movements, but is controlled by the policy of the reserve banks in expanding or contracting credit. It follows, therefore, that it is not the value of gold in America which determines the value of the dollar, but the value of the dollar which determines the value of gold.

"The mechanism by which the dollar governs the external value of gold is obvious. If the price level outside America should rise in consequence of an increase in the supply of gold, America would absorb the surplus gold; if, on the other hand, the external price level should fall in consequence of a shortage of gold, America would supply the deficiency. The movement of gold would continue until the price levels inside and outside America were brought once more into equilibrium. Although gold is still the nominal basis of most currencies, the real determinant of movements in the general world level of prices is thus the purchasing power of the dollar. The conclusion therefore is forced upon us that in a very real sense the world is on a dollar standard.

THE OUTLOOK

"Such is the position as I see it to-day, and I am naturally led to ask how long it is likely to continue. America is able to control the world price level because of two conditions. In the first place, her gold stocks are so great that she can afford to lose large quantities without running any risk of the gold reserve falling below the legal minimum; in the second place, her central banking system is so constituted that, given her great wealth, she can absorb large quantities of gold and at the same time deprive it of its credit-creating powers. In a word, America is rich enough either to lose gold or to gain it. She holds now one-half the total monetary gold of the world. Moreover, her creditor position constitutes a permanent magnet for gold. Her debtors must pay, and, if they can find no other way, they must pay in gold. The only condition, as far as I can judge, under which America might be drained of her gold surplus is that she should continuously make foreign loans beyond her true capacity to lend. That she will lend excessively at times is quite probable—there are indications indeed that she has done so recently; it is by no means an uncommon practice with ourselves—but that she should overlend so heavily as to make a serious inroad into her surplus gold seems to me very unlikely. I conclude that, as long as conditions remain at all similar to those we know to-day, America will be able to pursue her credit policy without regard to gold movements and to maintain control over the world level of prices.

DEARTH OF STATISTICAL INFORMATION

"Let me repeat that I speak of conditions as I see them to-day. Taking a view of the world as a whole it is evident that a great advance has been made since the time when gold was the main determinant of the direction of the price level. But we have still some way to go before we attain full understanding of the principles upon which the volume of credit should be regulated in relation to business demands. We know that the proper control of credit by the central bank in any country is a very important factor in trade prosperity and that a guiding principle in the exercise of this control should be the maintenance of a stable level of prices. But this is not all; there is still a wide field for inquiry on both the practical and theoretical sides. Unfortunately, however, the dearth of statistical information is a grave difficulty in the way of investigation. Individual banks can not do much; it is useless for them to publish more than the customary details at present disclosed in their periodic statements, since no sound generalization can be deduced from banking figures unless they relate to the banks as a whole. Cooperation between all the banks, including the central bank, in publishing the statistics required by scientific students would help us materially in the solution of some of the problems of credit control."

[From the London Daily Express, January 25, 1928]

WORLD POWER OF THE DOLLAR—MR. MCKENNA AND THE GOLD BASIS—UNITED STATES CONTROL

"Although gold is still the nominal basis of most currencies, the real determinant of movements in the general world level of prices is the purchasing power of the dollar. The conclusion is forced upon us that, in a real sense, the world is on a dollar standard."

This statement was made yesterday by Mr. Reginald McKenna, presiding over the ordinary general meeting of the shareholders of the Midland Bank (Ltd.), in London:

"That is the position as I see it to-day," he continued, "and I am naturally led to ask how long it is likely to continue. America is able to control the world price level because of two conditions.

"Her gold stocks are so great that she can afford to lose large quantities without running any risk of the gold reserve falling below the legal minimum, and, in the second place, her central banking system is so constituted that, given her great wealth, she can absorb large quantities of gold and at the same time deprive it of its credit-creating powers.

"America will be able to pursue her credit policy as long as conditions remain at all similar to those we know to-day, without regard to gold movements, and to maintain control over the world level of prices."

Mr. McKenna concluded on an optimistic note:

"There has undoubtedly been a great improvement in the relations between capital and labor, while it has given us all great satisfaction to note the gradual but steady recovery of our trade following the grave difficulties through which this country passed in 1926.

"I am hopeful that these tendencies will gain in strength. I do not suggest we have any cause for unbounded optimism. The problems yet before us are numerous and complicated, but the background is brighter than a year ago."

[From the Manchester Guardian Weekly, London, Friday, January 27, 1928]

THE "DOLLAR STANDARD"—MR. MCKENNA'S VIEWS

Mr. McKenna devoted the main part of his speech to the Midland Bank shareholders on Tuesday to an interesting and penetrating analysis of recent American monetary policy, which led him to the conclusion that it is nowadays not the value of gold which determines the value of the dollar, but the value of the dollar which determines the value of gold, and that, therefore, "in a very real sense the world is on a dollar standard." His argument started from a consideration of the various stages, which he classified as five in number, into which American monetary history since the beginning of the war falls. In the first period, from 1914 to the middle of 1919, gold was flowing into America continuously in payment for war supplies, the net amount of the influx exceeding $1,000,000,000. This gold was purchased by the Federal reserve banks and treated in the traditional manner; that is to say, it was allowed to form the basis of fresh credit, with the result that America, no less than the rest of the world, though with smaller provocation, allowed inflation to run a free course. In the second period, from the middle of 1919 to the middle of 1920, inflation continued, even though America lost $400,000,000 of gold, because the

reserve banks continued freely to create credit, notwithstanding the loss of gold.

With the third period, however, which covers the four and a half years from the middle of 1920 to the end of 1924, came the development of the policy of "sterilization." Gold flowed in continuously, but as it came in it was neutralized, at first because it was used by the member banks of the reserve system to pay off their indebtedness to the reserve banks, which refrained thereupon from recreating the credit thus canceled, and because later, when industry was recovering from the slump, the reserve banks found that they could use the gold to broaden the basis of credit without any inflationary effect upon prices. In the fourth period, covering 1925, gold was flowing out of the United States, but this efflux was not allowed to influence prices either, since the reserve banks did not respond to it by contracting credit, but, on the contrary, actually allowed credit to increase in response to the needs of business. Finally, in the last period, gold was again flowing into America, and was sterilized as before.

THE CONTROL OF WORLD PRICES

America thus developed a new monetary technique, in which conscious regulation of credit replaced the more or less passive submission to the process of alternating expansion and contraction according as gold might flow in or out. This policy, which the American monetary authorities have executed "with a high degree of success," means that in America the value of gold has been made to conform to the value of the dollar instead of vice versa. The purchasing power of the dollar has been kept steady, and therefore the value of gold has been kept steady, notwithstanding the enormous increase in its quantity. It follows, further, that America has been able to regulate the external value of gold, because if the value of gold outside America threatened to fall, America absorbed the surplus supply, and if, on the other hand, it threatened to rise, America supplied out of her reserves sufficient gold to prevent it rising.

So America has enforced her dollar standard on the world, and in Mr. McKenna's view she will be able, in her position of holder of half the world's monetary gold and of creditor of the rest of the world, to maintain control over world prices for as long as it is possible to see ahead.

[From the Daily Telegraph, London, Wednesday, January 25, 1928]

MR. MCKENNA AND GOLD—REVENUE RETURNS—IMPERIAL TOBACCO DIVIDEND

CITY OFFICE, 9, DRAPERS'-GARDENS, E. C. 2,
Tuesday evening.

Apart from the usual detailed review of the bank's affairs and progress, including the information that £830,000 in gold coin was paid in to the Bank of England during December, "which we had gathered from circulation," Mr. McKenna's address at the Midland Bank meeting was devoted to considering the present position of gold as an international standard of value. It may be doubted whether many of those present really understood what he intended to convey, but although he did not actually say so, it would seem that he no longer regards gold as the best basis of currency, notwithstanding that London is rapidly recovering its former position as the world's monetary center owing to our return to a gold standard. Postulating that central bank policy in the United States has shown that while gold may be retained as a medium for making international payments, it can be deprived of its function as the ultimate standard of value, he reached the conclusion that the world in a very real sense is now on a dollar standard, because "the real determinant of world prices is the purchasing power of the dollar."

PRE-WAR BANK PRACTICE

His method of arriving at this conclusion is certainly interesting, if not wholly convincing. Before the war, he says, the central banks adopted a purely passive attitude with regard to the control of credit, allowing the gold movement into or out of a country to regulate the internal supply of money. If gold flowed in freely, credit and currency expanded; and if more credit was created than required for the growth of business, prices rose. If gold flowed out, credit and currency contracted and prices showed a tendency to fall. "It followed from this that the current course of world prices was determined by the supply of momentary gold." This rather sweeping statement required qualification, because the Federal reserve system, prior to which there was no central bank in the United States, did not come into operation until the end of 1913, while, as everyone knows, the Bank of France was only compelled to redeem its notes in legal-tender coin, which included silver.

That Mr. McKenna was really referring to the Bank of England was apparent from his subsequent remarks when he said that London, being the world's financial center, the British price level was the medium through which gold operated on the price levels of other countries. It may be admitted, however, that the first aim of the Bank of England was, as it must always be, to protect its stock of gold so as to insure the undoubted convertibility of the note issue. It may be, too, that the principles of central-bank control were undeveloped, if not unknown before the war. It will also be agreed that up to a point a central bank can expand or contract credit by buying or selling securities, and in this sense it can regulate the supply of money irrespective of gold movements. But to rule out gold as a negligible factor in the situation is quite another matter.

POSTWAR METHODS

It was, we are told, the enormous accumulation of gold which might have proved disastrous to the stability of the American price level, that directed the attention of the reserve banks to their controlling powers. Full tribute has been paid to the great ability with which the Federal Reserve Board have carried out their policy, viz., to prevent undue inflation on the one hand, and, on the other hand, in those periods when gold was temporarily flowing out, to insure that credit remained in sufficient supply for the needs of business. Yet, with all their management of the price level and in spite of a large gold influx in 1926, they could not stop the heavy fall in cotton and wheat from which their farmers suffered that year. By sterilizing for a time their surplus gold they were able to prevent its normal effect on the volume of credit, but no amount of circulating medium could counterbalance the result of an oversupply of the products just mentioned—not even the granting of a subsidy to the Iowa farmers to enable them to hold back their corn crops. The dialectical skill of the extreme followers of the quantity theory of money and the theorists of the mathematical school is apt, as Lord Overstone said many years ago, to lead people "to conclude with too much haste that fluctuations in the amount of the circulation are the immediate and only cause of all fluctuations which may occur in prices."

THE DOLLAR STANDARD

In Mr. McKenna's opinion, American monetary policy has proved that the value of gold no longer governs the value of the dollar. "While an ounce of gold can always be exchanged for a definite number of dollars, the value of the ounce will depend upon what these dollars will buy, and this in turn will obviously depend upon the American price level." Surely the same thing could be said of sterling, for we can exchange an ounce of gold for a definite number of pounds, and the value of the ounce will depend upon what these pounds will buy. That gold movements were formerly the regulator of the price level in America and are so no longer is rather a large assumption, though as a result of America's accumulation of gold they now are admittedly less of a factor, while it has been shown that the influx can be neutralized by a self-denying policy on the part of the reserve banks.

But we can not help asking if there was ever a time when the value of an ounce of gold or anything else did not depend upon what the cash given for it would buy, for the purchasing power of dollars or sterling obviously must determine the actual value of the gold for which they are exchanged. However, Mr. McKenna's conclusion that the world is on a dollar standard is based on the belief that America is able to control the world price level, because she "is rich enough either to lose gold or to gain it." So it would seem after all that gold is not such a negligible quantity either in the matter of the price level or the control of credit.

[From the Times, London, Wednesday, January 25, 1928]

MR. MCKENNA'S SPEECH—IMPERIAL TOBACCO DIVIDEND

Two of the leading banks—the Midland and Martins—held their annual meetings yesterday. At both meetings the chairmen struck an optimistic note regarding the outlook, particularly Mr. R. Holland Martin, who described the tide as having undoubtedly turned in our favor. The greater part of Mr. McKenna's address, however, was directed, as usual, to abstract monetary questions, which he succeeded in explaining in very lucid terms. As he rightly said, before the war the central banks adopted a purely passive attitude in the control of credit, for they allowed the movement of gold into or out of a country to regulate the internal supply of money. If gold flowed in freely, credit and currency expanded and prices rose. On the other hand, if gold flowed out, credit and currency contracted and prices fell. In other words, the current course of world prices was determined by a number of things, but mainly by the supply of monetary gold. It was not until after the war that there developed a new consciousness of the power of the central banks to control credit, and the necessity for exercising it. This became a matter of importance because, whereas paper credits had expanded enormously during the war, the supply of gold had not, while approximately one-half of it found its way into the hands of one country. The International Economic Conference at Genoa in 1922 was impressed by the danger of a scarcity of gold, and the financial commission established there made recommendations to economize its use. One of the commission's main suggestions was that "gold exchange standard" should be adopted by most countries, leaving only a few to hold the metallic reserves for the whole world.

AMERICA'S MONETARY POLICY

Mr. McKenna declared that it was a matter for regret that the commission's suggestions for the adoption of gold exchange standards had been widely departed from. As a matter of fact, most, if not all, of those countries which have returned to the gold standard did not revert to the pre-war system, but set up what is known as the gold-exchange standard—that is to say, the banks of issue undertake to pay

their notes either in gold or in gold exchange—i. e., the currency of a gold-standard country. Most, if not all, countries in practice seek to confine the use of gold to external payments. But though most countries have adopted the Genoa recommendations, they have nevertheless found that while in some respects gold exchange is as good as gold, it is not quite the same thing, which is true, and a few of them have been replacing their gold exchange with the actual metal. Mr. McKenna objects to this because he strongly holds the view that gold need no longer be the controlling factor in the supply of money. The experience of the United States, he declares, has proved this; better control can be exercised by the central bank regulating its loans in one form or another, irrespective of gold movements. The enormous war and postwar accumulation of gold in America would, if left to work on pre-war principles, he argues, have proved disastrous to the American price level. Mr. McKenna gave his interpretation of how the Federal reserve bank authorities contrived to avoid this. During the active period of the gold inflow it was prevented from functioning as a basis for credit to the full amount, while during the period of outflow, which occurred last year, no contraction of credit occurred; on the contrary, there was an expansion of bank credit. Certainly in recent years the American authorities have achieved a high degree of success in pursuing a policy of price stability in spite of gold movements of unprecedented magnitude.

CENTRAL BANK COOPERATION

Because of this active policy of controlling the volume of credit, irrespective of gold movements, Mr. McKenna pointed out, American prices are not gold prices, but dollar prices. Therefore, the world is not on a gold standard or gold exchange standard, but on a dollar standard, since the general world level of prices is governed by the purchasing power of the dollar. It is important to note, however, that America is making very large foreign loans, and that these foreign loans have not been allowed to reduce the supply of currency and credit internally, and to that extent she is releasing for use in the outside world more and more of her immobilized gold. Thus prices will tend to become less dollar prices and more gold prices. Mr. McKenna apparently thinks that the United States is not likely to overlend so heavily as to make a serious inroad into her surplus gold. That is a point of view which only the future can decide, but events of the past two or three years point strongly to the conclusion that America must continue to lend abroad. Mr. McKenna thinks that the control of credit by central banks is a subject which has been inadequately explored, and that it presents a wide field for inquiry, on both the practical and theoretical sides. The war has certainly opened up a new phase in monetary practice. Much has been done in the direction advocated by Mr. McKenna. Cooperation amongst central banks, which has contributed much to European reconstruction in the past few years, is so recent that there is no reason to suppose that it has reached its limits.

LETTER TO THE COMMISSIONERS OF INDIAN AFFAIRS ON H. R. 6461

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter I have addressed to the Commissioner of Indian Affairs on H. R. 6461.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARENTZ. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

FEBRUARY 23, 1928.

The COMMISSIONER ON INDIAN AFFAIRS,
Department of the Interior, Washington, D. C.

MY DEAR MR. BURKE: On numerous occasions I have brought to your attention the situation existing on the Walker River in Nevada with respect to water rights and irrigation difficulties between the whites and Indians, and I have tried to have these difficulties settled with justice to both Indians and whites.

It is still my hope that the suit instituted by the Government at Carson City, Nev., entitled "United States of America *v.* Walker River Irrigation District et al.," may be settled by a stipulation before it comes to trial early in March of this year. This means, Mr. Burke, that if anything at all is going to be done to effect settlement it must be done within the next two or three weeks. I realize, of course, that the Government has always relied on the Winters case as conclusive of the right of the Indians to have and take all of the water of the Walker River, if necessary, to irrigate all of the irrigable lands in the Indian reservation. In this, from the viewpoint of right and justice, of equity to both Indians and whites, I can not concur.

The Winters case is similar in some respects to the Walker River case in that it involves water rights for Indian lands, but entirely different in the legal aspects involving the right to the use of the waters of the Walker River. The United States brought suit against Winters and others to enjoin the diversion of the waters of the Milk River in Montana which it claimed were reserved by treaty with the Indians for use on the Fort Belknap Indian Reservation. The Supreme Court of the United States, speaking through Justice McKenna, said:

"The case, as we view it, turns upon the agreement of May, 1888, resulting in the creation of Fort Belknap Reservation. In the construction of this agreement there are certain elements to be considered that are prominent and significant. * * * By a rule of interpretation of agreements and treaties with the Indians, ambiguities occurring will be resolved from the standpoint of the Indians."

The court then resolved the ambiguity in the treaty in favor of the Indians, holding that by implication it reserved the waters of Milk River for the use of the Indians. The State of Montana was admitted into the Union the year following the execution of the agreement with the Indians.

It is not my intention to enter into the legal phase of this controversy, but at this point it is well that we state the situation with respect to the Walker River case.

In the case, United States *v.* Walker River Irrigation District et al., the claim of the Government is predicated upon a letter dated November 29, 1859, by the Commissioner of Indian Affairs to the Commissioner of the General Land Office suggesting that an undefined area of land bordering on Walker Lake be set apart for the Indians. It was not until March 23, 1874, that President Grant by Executive order created the Walker Lake Indian Reservation. There is no treaty involved as there was in the Winters action. In the Winters action above referred to it seems too clear to require elucidation that the decision turned on the construction of the treaty, and that there is no similarity whatever in the legal aspects of the two cases.

It is contended in the present case that the letter of November 29, 1859, operated as a withdrawal of both the lands and waters for the irrigation of all of the irrigable lands in the Walker Lake Indian Reservation to the estimated extent of 10,000 acres, notwithstanding the fact that the Walker River rises in the State of California, and is in part used there and flows some 75 to 100 miles before the stream enters or touches the upper boundary of Walker Lake Indian Reservation. It must be remembered also that the Indians were at war with the United States in 1859 and for some years later down to about 1864 or 1865.

If the theory of the Government be correct that the letter, or even the actual Executive order, served to reserve all the water in the river from source to mouth, it means that thereby lands 100 miles in length bordering on the river were forever stripped of the right to utilize a drop of water from the Walker River either as riparian owners or as appropriators. It must be borne in mind, also, that the General Land Office has granted patents to settlers for thousands of acres of lands along the stream based upon the showing pursuant to the desert land act that the lands had been irrigated and cultivated by means of the use of the waters of the Walker River and had a full water right.

The maximum extent of the irrigated Indian lands at any time since the creation of the reservation is about 2,023 acres, 1,400 acres of which may be termed cultivated and the balance partially irrigated or pasture. That the normal flow of the river has been used for many years by the white settlers to its full extent, save for the 1,400 to 2,023 acres of Indian lands, and that if all the natural flow is awarded to the Indians it actually destroys water rights for white settlers' lands, acre for acre, to its maximum amount so awarded over 2,000 acres. Because of the reuse of the water by the whites it is no exaggeration to say that water for 2,000 acres of Indian land is equivalent to double this amount when used on white lands 30 to 50 miles up the river where the return flow is high.

Permit me to state, in this connection, that at a recent conference (November, 1927) held at Reno, Nev., between the attorneys for the Government and the attorneys for the defendants in the case under consideration, Mr. John F. Truesdell, attorney for the Indian Department, together with Judge Cole L. Harwood, special assistant to the Attorney General, represented the Government. At this meeting the defendants offered to stipulate with the Government that the Indians be awarded a first right to water in the natural flow of the stream for 2,000 acres of land which they felt was 600 acres more than the Indians actually irrigated, and which area was conceded to be the greatest amount upon which they had ever used water.

The Government officials countered with the proposition for a first right for 4,000 acres, and Mr. Truesdell then stated that if such stipulation were consummated and a decree entered confirming it, they would recommend the construction of the reservoir for which I have a bill pending. His attention was called to a statement in the report prepared by the engineers for the Bureau of Indian Affairs under the act of Congress which appropriated $10,000 for that purpose, which statement is as follows (H. Doc. No. 767, 69th Cong., 2d sess.):

"It seems apparent from the foregoing that if the Indians are decreed a water right prior to all others on the river, and such right is enforced, that for any cultivated area less than 4,000 acres there is no necessity for storage except as an economic measure for benefiting the entire community."

Mr. Truesdell answered that the statement in the report was an irresponsible one and not binding on the Indian Department, and that they were not responsible for the "mouthings of some underling," or words of similar import, and that the Indian Department did not approve any

such statement; but, on the contrary, that recommendation would be made to construct the dam and reservoir if the stipulation for 4,000 acres was included.

I respectfully refer you to House Document No. 767, Sixty-ninth Congress, which I have before me. This is a report on water supply and storage investigations of Walker River Indian Reservation, Nev., transmitted by S. J. Flickinger, chief, irrigation division; W. M. Reed, chief engineer; and C. A. Engle, supervising engineer, of the Bureau of Indian Affairs, and the following data is taken from the summary and conclusions of this report; hence they are official in character and may be accepted by you without question.

Under the heading, "Summary of irrigation data," Mr. Engle gives the following chronological summary:

1859 (November 29): Reservation segregated by General Land Office.

1859: Indian agency established on reservation.

1859: Indians irrigate by flooding from river. [I question this statement. S. S. A.]

1864 (December): Reservation surveyed by Eugene Monroe.

1866: Agent Campbell and Indians build Campbell ditch.

1874 (March 19): Reservation formally established by Executive order.

WATER SUPPLY

Source: Walker River.

* * * * * * *

Average flow (April to July, inclusive): 275 to 500 second-feet.
Average flow (August to March, inclusive): 0 to 150 second-feet.
Maximum flow, 1926 (May 18–20): 119 second-feet.
Maximum annual run-off (1907): 794,425 acre-feet.
Maximum annual run-off (1924): 94,780 acre-feet.
Average annual run-off: 390,000 acre-feet.

AGRICULTURAL CONDITIONS

Total area of reservation	acres	85,760
Size of Indian allotments	do	20
Total number of Indians allotted		503
Total area allotted to Indians	acres	10,060
Total irrigable area of project	do	10,278
Area now under canals	do	3,600
Area irrigated, 1926	do	1,809
Area unirrigated but under canals, 1926	do	1,791
Area irrigated by Indians, 1926	do	1,785
Area irrigated by white owners, 1926	do	20
Area irrigated by lessees, 1926	do	4
Irrigable area Indian-owned land in project	do	9,900
Irrigable area white-owned land in project	do	25

At this point I wish to bring to your attention the official statement that in 1926 there were only 1,785 acres irrigated by the Indians. This is the maximum amount ever under cultivation at one time. It is important that this figure be borne in mind because in a recent discussion of this matter with Mr. Flickinger it was stated that the amount under cultivation was double this amount. If the basis of your counselor's action in demanding a priority of 4,000 acres is predicated on the acreage under cultivation, my constituents, the water users of the Walker River irrigation district, I am quite sure, are perfectly willing to settle the suit on this basis.

Mr. Engle, in the report heretofore referred to, states as follows: "The attitude and patience of the Indians on this reservation is to be commended. They have shown great forbearance in attempting to cultivate their lands under the variable and uncertain water-supply conditions of the past. The location and favorable markets for farm produce, combined with soil fertility and climatic conditions make it possible to realize substantial profits from irrigated farming. These Indians have demonstrated their ability in this industry, and with an adequate supply guaranteed would undoubtedly make rapid progress toward the full development of the project." Also: "The success of an irrigation project depends primarily upon the delivery of an adequate quantity of water to the land as, and when, needed.

"Storage sufficient for assuring a dependable water supply for the entire irrigable area of Indian lands within the reservation is believed to be feasible at what we have designated as the Rio Vista Reservoir site. * * *

"It is my personal judgment," he says further, "that even though the Indians should be granted a water right of first priority for the area actually cultivated up to the limit of their total irrigable area of 10,280 acres, there would be frequent occasions during average or normal years and most certainly during low-water years, when the total normal flow of the river would be insufficient to produce the required flow at their diversion point and the river bed would, not infrequently, be dry. Taking conditions as they actually are and have been for years, at least since 1898, and leaving aside any consideration of what 'might have been,' providing the Indians would have had a prior water right and such right had been enforced, it is plainly apparent that storage is an economic necessity, and it is a matter of surprise that the Indians have succeeded as well as they have without it.

"Some idea of the excessive water loss in the river channel is indicated when it is considered that at the time above referred to, although 320 acre-feet were actually delivered in the river channel below all diversions above the Indian reservation, only 80 acre-feet finally reached the Indian diversion dam 35 miles farther downstream. * * * it is believed that it would be conservative to estimate the loss in the 35 miles of river channel between the Indian diversion and the lowest upstream diversion at 35 per cent. It is considered extremely doubtful as to whether the upstream users should be asked to stand so great a loss, if the loss can be obviated by the construction of a storage reservoir near the Indian land."

At this point allow me, Mr. Burke, to point out to you that if storage is resorted to, the white settlers have agreed to and will guarantee to the Indians, delivered at the diversion point of the river to the Indian lands, a sufficient amount of water to amply take care of the land now under cultivation plus an additional amount of water which will meet the needs of the Indians, according to the figures given by both Mr. Truesdell and Mr. Reed, for all time to come.

Again, quoting from Mr. Engle, "It is realized by all that the loss in the river channel is very great; but it is, of course, practically impossible to determine it under present conditions of control and management. * * * As early as 1898 (see report of L. A. Ellis included in this report, H. Doc. No. 767) it is reported that 'there was no water after July 10, and the quantity was insufficient for about two weeks preceding that date."

Bearing out my statement, Mr. Burke, that there is need, and urgent need for a reservoir, I will quote further from Mr. Engle's report. He says, "Moreover, it should be borne in mind that were it not for the usual water shortage, and were it not for the fact that the superintendent of the reservation and irrigation officials have for many years consistently discouraged the improvement of new lands because of the deficiency in the water supply, it is apparent that the cultivated area would be at least twice what it now is." And I may add to this the further statement that were water available the whole 10,000 acres, or 500 allotments of 20 acres each, would be tilled by Indian farmers.

Referring further to the summary of irrigation data, attention is called to the fact that "there are now 3,600 acres under canal and susceptible of irrigation (only 1,785 acres to which water has been applied) therefrom, at a total construction cost of $127,815, or $36 per acre for the area actually benefited." (A cost of $65 per acre instead of $36 if figured on the basis of land under cultivation.) "The estimated cost of the completed project with canals and laterals covering the entire irrigable area of 10,280 acres, and with the storage reservoir, is $540,000, or $53 per acre. It is apparent that land with an assured all-season water supply at $53 per acre is far more valuable and desirable than the same land with only a partial water supply at $36 or $65 per acre."

So much for reference to Mr. Engle's report, which I consider a splendid one—a straightforward, honest statement of facts. Let us pass on to the recent hearing before Mr. CRAMTON'S committee.

I can not view the testimony of the representatives of the Bureau of Indian Affairs before the House Subcommittee of the Appropriations Committee without alarm and a feeling that the Indians are being harmed and the white settlers treated unfairly by the more or less loose talk being indulged in by these men. The Indians on the Walker River Reservation can not get along without a reservoir. Your assistants know this as well as I, but in order to press home their ideas relative to priority of water rights and make untenable in the eyes of Congress the position of the white settlers they are making it very hard for me, or anyone else, to bring about the passage of a bill in Congress for the construction of a reservoir for the Indians at Schurz, Nev.

I feel duty bound to go into this matter with you in detail to point out certain ambiguities, misstatement of facts, and uncalled-for testimony of witnesses on matters which I believe they should have left for another occasion.

One can not view the work of the Bureau of Indian Affairs during the past six years without a feeling of pride for the work accomplished generally throughout the Nation. The personnel under your direction is as sincere and conscientious in its duties as can be found in any body of men and women in any department of the Government. Everyone with whom you come into contact must be impressed with your sincerity and good judgment. This also holds true with respect to all of your assistants whom I know. So, anything I may say here is meant in no degree to cast aspersions or question the motives actuating the men named or anyone in your department. You look to them for recommendations—you are entitled to their unbiased opinion and best judgment always—it is impossible for you to know the details of every problem presented. Within the limited scope of this letter I hope I may be able to present a true picture of the problems on the Walker River to you so that you, in turn, may help in their solution.

On page 234, hearings, appropriations, Interior Department, 1929, we see the following:

"Mr. CRAMTON. What about the suit, or what is the status of it?

"Mr. REED. I think Mr. Truesdell can give that a little better than I can, but I can tell you about it in a general way. There have been two attempts since the suit was filed to reach some kind of agreement—that is, to stipulate along certain lines, at least. Those attempts have not been entirely successful. The first one failed, although we had some assurance they [I presume Mr. Reed meant the directors of the Walker River irrigation district] were in a frame of mind to meet our

minds. However, that did not prove to be true, and unless there is a yielding it must go to trial when the court sets it.

"Mr. CRAMTON. What is the status of that suit, Mr. Truesdell?

"Mr. TRUESDELL. The suit is pending as a bill filed and the answers thereto, and it has just been set for March, I think, by Judge Farrington.

"Mr. REED. And I, at the request of the Representative from Nevada, Mr. ARENTZ, went to Reno in May and tried to see what could be done in the way of effecting a settlement of the whole controversy on the basis of the information in the report (H. Doc. No. 767) which you have just described. We went through the thing thoroughly and gave our views, namely, that we felt that we could recommend that the suit be settled on the basis of adequate water from the unstored flow of the river or a first right for 4,000 acres and then a first right of storage for 30,000 acre-feet, which would be enough water to fill the reservoir. We. felt that a 4,000-acre first right on the unstored flow would take care of the Indian lands or the lands that the Indians now on that reservation would be likely to use, and also they would use, as far as could be used, the unstored flow of the river; that is to say, that a greater right in the river for the unstored flow would be so seldom needed that it would not warrant putting in new lands on that basis and that then, if Congress saw fit upon any theory to build the dam the first right of storage would be adequate to irrigate all the land of the reservation susceptible to cultivation, namely, about 10,000 acres.

"Mr. CRAMTON. Have the white lands above been using the water to such an extent as to create an insufficient supply for the Indian lands? In other words, if the whites were not taking the water above, the Indians would have enough water without building this storage reservoir, would they not?

"Mr. TRUESDELL. I do not understand it that way. It is very difficult, of course, to estimate just what would have been the situation if changes that have taken place in many years had not taken place; but, so far as we know, and so far as this report shows, we believe that if the whites were not there we could irrigate only about 4,000 acres.

"Mr. CRAMTON. And this project is to cover——

"Mr. TRUESDELL (interposing). About 10,000 acres.

"Mr. CRAMTON. And the area under constructed works is 3,600 acres?

"Mr. TRUESDELL. Yes, sir.

"Mr. CRAMTON. There is not enough water for the 3,000 acres?

"Mr. TRUESDELL. No, sir; not now. We are irrigating not more than 2,000 acres at the present time, and that occasionally goes short. We thought if that could be boosted to 4,000 acres, and if we had a decree of court giving us a first right for that much, we could irrigate it pretty well, although even then we would go short to a certain extent.

"Mr. CRAMTON. Do you mean to say that if there were not undue encroachment by the owners of white lands above, the stream flow, without storage, would be sufficient probably to take care of 4,000 acres?

"Mr. TRUESDELL. Yes, sir; with an occasional shortage.

"Mr. CRAMTON. But is it not sufficient now?

"Mr. TRUESDELL. No, sir.

"Mr. CRAMTON. Of course, the pinching necessity for that reservoir is not because of a desire to provide water for 10,000 acres, but it is because of the necessity of providing water for 4,000 acres, and that necessity is created by the encroachment of white lands above.

"Mr. TRUESDELL. I do not think it would be quite accurate to put it that way.

* * * * * * *

"Mr. FRENCH. Is the suit pending?

"Mr. TRUESDELL. It is pending. The bill asks for a prior right for the whole 10,000 acres, but we feel that even if we get a decree for that it will be more or less empty. After the 4,000 acres is supplied the stream would not supply those lands sufficiently.

* * * * * * *

"Mr. TRUESDELL. My idea is this: That if the Government simply wanted to irrigate this 4,000 acres the best thing to do would be to prosecute this suit. If, however, it wants to irrigate the full 10,400 acres, or whatever it is, then it should build the reservoir. If it wants to build the reservoir, I would very much prefer to have the suit settled by an agreement on the terms that we suggested, so that we would get the first storage right, rather than to simply have the right that the court would be likely to give us. That is because the storage right would be very valuable."

You will please note that Mr. Reed in his statement says definitely that the first conference failed because the directors of the Walker River irrigation district were not in a frame of mind to meet "ours," meaning by this the minds of himself and Mr. Truesdell, and he further states that unless there is yielding, and by this he means the acceptance of Mr. Truesdell's plan for 4,000 acres of priority water, the case must go to trial shortly after the 1st of March. Mr. Reed further says, and if you had been present at this conference you would believe as I do, that the entire matter is in the hands of Mr. Truesdell and Mr. Reed, that "we felt that we could recommend that the suit be settled on the basis of adequate water from the unstored flow of the river or a first right for 4,000 acres"—this is not for 4,000 acres now under cultivation. It is for the acreage that would likely be used in the future and would be the very limit of acreage in normal years, but in an abnormal year there would not be a sufficient amount of water, under any condition, for more than the land now under cultivation, namely, 2,023 acres. The district has agreed to guarantee this amount, as well as a sufficient amount of flood water to amply supply the needs of the full 10,000 acres.

I think both Mr. Reed and Mr. Truesdell are looking at this matter entirely from the viewpoint of the Indian; I think they are acting very fair indeed from the Indian viewpoint, nevertheless, Mr. Truesdell is correct when he makes the statement that "so far as we know, and so far as this report shows, we believe that if the whites were not there we could irrigate only about 4,000 acres, with an occasional shortage." I feel sure that both Mr. Reed and Mr. Truesdell appreciate the fact that 4,000 acres is far above the maximum that could be irrigated, and I repeat that in a subnormal year, a year when the river becomes almost dry during the months of July and August, that it would require some very serious "pinching" to spread the water over the less than 2,000 acres now under cultivation, not to mention 4,000 acres, unless the supply were supplemented by stored water.

Mr. Truesdell further states, "we are irrigating no more than 2,000 acres at the present time and that occasionally goes short," and he says "we thought if that could be boosted to 4,000 acres, and if we had a decree of court giving us a first right for that much, we could irrigate it pretty well, although even then we would go short to a certain extent." In order to fully understand this Mr. CRAMTON asked this question: "Do you mean to say that if there were not undue encroachments by the owners of white lands above, the stream flow, without storage, would be sufficient probably to take care of 4,000 acres?" And Mr. Truesdell answered, "Yes, sir; with an occasional shortage." And Mr. Truesdell goes on still further and states that the bill, meaning the bill filed in court upon which the suit is based, asks for a prior right for the whole 10,000 acres, and he says, "But we feel that even if we get a decree for that it will be more or less empty. After the 4,000 acres is supplied, the stream would not supply those lands sufficiently." Mr. Burke, unless sufficient water is supplied to irrigate lands diversified farming is impossible and only failure stares the rancher in the face who tries to carry on under such conditions of water shortage.

It is my contention that by prosecuting this suit to a final conclusion the Government will get less than it would if the suit were settled by stipulation under the terms agreed to by the Walker River irrigation district officials and their attorneys for this reason, and it should be very clear to you, being a western man, knowing the value of water and water rights, that it is as Mr. Truesdell says—the decree for 4,000 acres, and even less than this, would be absolutely empty. It would not carry a storage right, and storage is essential if it is ever contemplated to give the 500 Indian allottees on the Walker River Reservation water for their acreage of 20 acres each, or a total of 10,000 acres. Surely, if these Indians have been given their allotments of 20 acres each, it is a gesture of the emptiest sort unless it is contemplated that water is to be supplied for these allotments some time in the future, and if water is to be supplied to these allotments at some future date it is absolutely essential that the Government protect the rights of the Indians by flood-water rights on the Walker River so that when the reservoir is constructed at least 30,000 acres of flood water can be stored for application to their lands.

The Walker River irrigation district is now storing about 90,000 acre-feet of water, and within a short time it is contemplated to erect another reservoir—if they do this they will take all the flood water from the Walker River and leave the Indians—what? Their priority. And even though they get a priority of 10,000 acres, Mr. Truesdell admits that this will be an empty decree, that even if they have enough water to irrigate 4,000 acres by the natural flow of the stream for part of the irrigation season, the flow would be insufficient in the late season, when it is needed for maturing of crops, and it will be conceded by anyone who knows how to irrigate that it can not be done successfully when one year there is enough water for the crops and the next not enough, and the crops dry up the latter half of the season when the water supply falls short—crops are not grown successfully that way.

No matter how one looks at the proposition, storage is essential. Nothing should be done in this case which would jeopardize the passage of legislation authorizing the construction of a dam and reservoir. There is a direct and an indirect way to bring about storage for the Indians. I am suggesting the direct method through the settling of the suit by equitable agreements and favorable report on my bill to construct the dam and reservoir.

In making the following statement, Mr. Truesdell, I think, summed up the situation in the clearest possible manner; he states the case exactly when he says, "My idea is this: That if the Government simply wanted to irrigate this 4,000 acres (I think he meant a priority of 4,000 acres), the best thing to do would be to prosecute this suit. If, however, it wants to irrigate the full 10,000 acres, or whatever it

is, then it should build the reservoir. If it wants to build the reservoir, I would very much prefer to have the suit settled by an agreement on the terms that we suggested, so that we would get the first storage right, rather than to simply have the right that the court would be likely to give us. That is because the storage right would be very valuable."

In conclusion, Mr. Burke, let me state that I do not view this case strictly from a legal standpoint alone but from the viewpoint of justice and equity, justice both to the whites and to the Indians. We gained nothing, arrived at no conclusion, in the discussions and conferences entered into during the past two years. It appears to me that the terms of settlement of this suit by stipulation seem to be in the hands of Mr. Truesdell. He appears to be determined that this suit shall be carried to a conclusion in the Federal court at Carson City at an early date or the settlement be made on his terms, namely, the prior right for 4,000 acres. This amount is 2,000 acres in excess of the acreage ever under cultivation by the Indians, even though Mr. Truesdell and his associates have admitted time after time that a decision for 4,000 acres would be an empty one, because the flow of the Walker River during July and August of some years is insufficient to supply the needs of more than 2,000 acres. If at any time the 500 allottees, each possessing 20 acres, desired to put their land under cultivation, and surely you believe with me that this should be done, a further right on the stream for at least 30,000 acres of flood water would be essential and necessary, and it is contended by neither Mr. Truesdell nor the assistant to the Attorney General that a decision on 4,000 acres priority would carry with it a flood-water right for this necessary storage.

I appeal to you, Mr. Burke, to give this matter your personal thought, the benefit of your mature judgment, and that you will use your influence to settle this question at once out of court by stipulation under guaranties protecting the Indians of the Walker River Reservation to the fullest extent, yet balance the scales in favor of neither the Indians nor the whites by settling the case in equity and justice along the lines herein proposed—first, a priority of normal flow of the Walker River sufficient to irrigate the maximum acreage, according to official reports, ever tilled by Indians on the Schurz Reservation; and, second, such other recommendations as were made in the Engle report, including the construction of the reservoir discussed in said report.

Respectfully yours,

SAMUEL S. ARENTZ.

PERMISSION TO SIT DURING SESSIONS OF THE HOUSE

Mr. PARKER. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during the sessions of the House for 10 days beginning next Tuesday.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, is this for the purpose of considering any special legislation?

Mr. PARKER. Yes; it is to consider railroad consolidation.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to prefer another request. I ask unanimous consent that the gentleman from Oklahoma [Mr. CARTWRIGHT] may address the House for 10 minutes on Tuesday next, following the address of the gentleman from Texas [Mr. WILLIAMS].

Mr. SCHAFER. Mr. Speaker, reserving the right to object, on what subject?

Mr. GARRETT of Tennessee. On farm relief.

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

There was no objection.

ABRAHAM LINCOLN WITH THE IMMORTALS

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a speech made before the Bronx County Bar Association on Abraham Lincoln by Prof. Emanuel Hertz, a student of Lincoln.

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

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, under permission granted me I extend herewith a speech of Prof. Emanuel Hertz, of New York City, on February 12, 1928, delivered over WGL, entitled "Abraham Lincoln with the Immortals." Prof. Emanuel Hertz, a lawyer and a scholarly gentleman of our city, is not only a great admirer of the great American, but also a profound student of Lincolnian lore. I am sure his remarks will be of interest to the membership.

The speech is as follows:

It is a custom hallowed by the ages to recall at least annually the memories and performances of those who departed. Fervent and intense as is the observance at first, it gradually mellows and becomes more formal and frequently the anniversary becomes a biennial event and then a quinquennial, then centennial memorial, frequently remembered only—rather than formally observed. The vast majority of these terminate within a short period, for only the closest family ties keep us concerned about those departed. Have we not seen it all in our own day—how short-lived and baseless is temporary fame? The hero of to-day—whom we greet with triumphal arches and hosannahs—who is greeted by rulers and people alike—is barely remembered 20 years later. Witness the late Admiral Dewey—upon whom the honors of a hundred million people were showered. Who recalls that gigantic universal outpouring of praise and pomp and popular acclaim? McKinley—as lovable a soul as ever lived—universally beloved in his day—is rarely, if ever, referred to. A statue here and there—perhaps three in all—certainly not more—marks all that was earthly of that simple soldier boy—in Philip Sheridan's regiments—who was raised to the highest post in the land. Who remembers three generals in the great World War of 10 years ago?

We must, therefore, conclude that nothing short of lasting performance, nothing less than what benefits the race, only an unselfish performance coupled with the greatest sacrifice which changes the course of an entire race, frees a people from bondage, and implants upon the minds of those who follow an eternal, elemental principle, which up to that day was either unknown or unrecognized, and which does not change with the tides nor with the process of the suns—only such an individual, whoever he be, wherever he comes from—only such a one can not and will not be forgotten.

And when one such is found human nature veers completely the other way. No lip worship only, no formal memorial will do. They go the whole length of the gamut of human gratitude and love and set apart an entire day—an entire day in the United States of complete rest, of complete inactivity, of shutting down the myriads of human endeavor and occupation on the farm, in the mine, in the counting house, in the courts, in the schools—all given and dedicated to the memory of Lincoln—indeed, a gigantic sacrifice running into hundreds of millions of dollars, counting time and effort suspended and money expended and lovingly foregone, in order to celebrate this natal day of him who breathed the spirit of life into an expiring Union. An entire day, not only to remember, to recount, but to contemplate and study the life and character of him who has thus become distinguished. First one State, then another, then the Congress of the United States have decided to celebrate Lincoln's birthday.

And now there have sprung up all over this land Lincoln organizations who follow annually a program which has for its object to keep before the people of his Union—young and old—the great services rendered by him to make his Union free and mighty and respected by all the nations of the world, because he made it an emblem of righteousness, an example of brotherly love, a people loving and pursuing justice. His heritage of unselfish advice to the plain people—and he concerned himself mostly with those only because the vast majority of his fellow countrymen were plain people—is now and has for the last 70 years been slowly absorbed. His appeal seemed to reach those common people—they understood Father Abraham—whether it be the starving dole-receiving cotton spinners of Manchester, England, crippled by the blockade which prevented the exporting of cotton, or the plain people in the marshes at Shiloh, Vicksburg, or in the Wilderness; they all understood him and went straight into the shadow of the valley of death because he asked it. The so-called leaders could not respond so quickly. How could you expect the Cabots, the Adamses, the Sumners, the Sewards, the Chases, the Lees, the Davises, the Longstreets, the Beauregards, and the rest of the aristocracy of the North as well as of the South to stoop or rather look up to—for like Saul he towered over all—this crude frontier giant who would talk in the patois of the frontier, who like Æsop of old would draw his similes from the farm and from nature, and who had as much regard for clothes or the habiliments of the boudoir as did Socrates.

Somehow or other these few human intellectual giants have a vision peculiar to themselves; they see through it all; no phrase, no adornment, no veil, no hue, no color conceals the great heart, the great soul, which burns like a perpetual fire, now and forever. Unconsciously, perhaps, Lincoln ignored all these superficialities, suffered from all these social disadvantages, so called, and concerned himself with eternal things only. He even used some of these social leaders—for he needed mannikins in the Diplomatic Service; he needed social secretaries; he needed intermediaries with these recalcitrant governors and unreasonable Senators, with these pompous and strutting would-be saviors of the Nation, who simply did not comprehend him or the problems with which he was coping. To-day he was perfectly willing to give up his task to anyone who would appear to be able to do better than he; the next day he actually convinced the two or three other men in the country, who seemed to understand the enormous task but actually tried to side-step it, or to sacrifice the Union in carrying out their theory as to slavery, that to do what they advocated was treason, if not madness outright; and then, when he had arranged the fighting forces, his diplomatic forces, his legislative forces, his State leaders, and his spiritual leaders into some semblance of teamwork, he was forced to combat the entire Democratic Party, who had actually succeeded in organizing itself in the North under the influences

of Vallandigham, Pendleton, and Seymour, in opposition to his struggle for the Union, and urged cessation of hostilities at any price and negotiation for peace with the Confederacy in 1864 at any cost—the very thing he prevented England and France and other European powers from inaugurating two years before. Not one of these timeservers, not one of these political or military leaders saw or wanted to see or hear his reasoning or his program. Resignations from high officials were either threatened or requested; Washington was a treason-infested town; and the miracle of it all was that the assassination of the one man who stood between the living and the dead was so long deferred.

Little wonder, then, that those who lived to see what he had accomplished turned an intellectual somersault and from suspicion turned to trust, from carping, heartless criticism, to immeasurable love and praise and appreciation and trust. He had made it clear, at last, that Lincoln was honest, that Lincoln was capable, that Lincoln was unselfish, that Lincoln was trustworthy, that Lincoln was a statesman, that Lincoln was a great military leader, that Lincoln was adamant on saving the Union, that Lincoln was not a slave driver, that Lincoln was not a clown, that Lincoln was not a cruel conqueror, that Lincoln was not an enemy of the South, that Lincoln was not prepared to upturn southern society, that Lincoln was not against peace on honorable terms, that Lincoln was not a candidate for reelection, that Lincoln was not here to perpetuate a military hierarchy; above all, that Lincoln was not afraid, intimidated, or turned from the one true course he had outlined to himself when he registered his oath in heaven to preserve the Union. And now that he was no more—all saw even more clearly how this simple child of the forest had been selected by Providence to bridge the chasm between the slave and the free, between a mobocracy and a democracy, between darkness and between light.

Of course, there were those who saw it not to the very end—nay, to this day there be learned dissenters. Men to-day demonstrate by quoting the unspeakable billingsgate of Civil War and reconstruction times, then voiced by the halt, the lame, the sick, the mentally decrepit—that the real Lincoln was not what the people thought he was. Of course, we are not concerned with those—there be even spots on the sun—but the sun ever shines, and yields life and nourishment and health and vigor—and only the lame, the halt, and the blind concede it not. But they are as ineffective as the fool who sayeth there is no God.

The commotion, the noise, the misleading rumors, the unholy slanders were gaining such velocity, such strength were voiced from so many points of vantage, appeared and reappeared in so many disloyal and half loyal sheets, that Lincoln himself began to doubt—not that his cause was just, not that his was the only course to pursue—but he began to doubt whether the people, his people, would continue to stand by him or whether the siren sounds of peace, of a disgraceful peace, of a perverted peace, would not finally become so effective as to distract the attention of his followers and finally defeat him at the polls at a time when the rays of the rising sun of victory and of peace with honor were becoming visible on the horizon.

And at one time, and only one time, he said: "It is my belief that from present indications the administration will be defeated at the polls at the next election." But he had hardly spoken those words when things began to happen. Grant regenerated the Army, and it began to hammer away, and the process of attrition was on. Sherman began to destroy the heart of the Confederacy. Sheridan destroyed its source of supplies. Thomas (a northern Robert E. Lee) gave the death blow to the Confederacy when he wiped out its army within its borders and helped to isolate Lee. Farragut at Mobile, and the blockade along the entire coast, and the election in November was as overwhelming as was the work of the Army and Navy. The people had spoken again for Abraham Lincoln. The prophets of evil, the soothsayers in the North, were indeed as effective as the fool who sayeth there is no God.

But the common people, the plain people, the poor people, Lincoln's people, Lincoln's neighbors, Lincoln's soldiers, Lincoln's sailors, Lincoln's clients—an entire Nation of clients saw it all—not only at the end where even Chase and Andrew and Reverdy Johnson and Henry Winter Davis—they saw in the beginning—God Almighty had opened their eyes and they beheld Lincoln and Douglas arguing and debating whether a house divided against itself could stand. Douglas, wanting the Senatorship, said it could; Lincoln, however, cared not for the Senatorship, and actually lost it when he said, so that an entire world could hear, "A house divided against itself can not stand," and won the Presidency. I know of no better example or anecdote which better describes than the quotation from Maj. H. C. Whitney, in concluding his great work, "Lincoln on the Circuit," to illustrate the dramatic election of 1860:

"The story is somewhere told that 25 centuries ago the citizens of Mitylene resolved to erect a statue of Jupiter, father of gods and men, in front of that masterpiece of architecture, the great theater, and that they invited a display of statues of the mythological god from which to choose one adequate.

"Upon the day of choice the citizens of the Lesbian Isle crowded into the plaza, there to behold two draped figures which were to compete for the honor of saluting the sun as it arose from the Mediterranean for hundreds of slowly revolving years.

"The draperies fell apart and revealed a figure of classical beauty, the perfection of symmetry, a paragon of sculpture, a miracle of art, an image in which glorious life had been arrested at its highest tide, a fit marble ideal of the presiding divinity in the assemblage of the gods!

"Also a rough effigy of a human figure—no majesty in its lineaments; no grace in its pose; apparently no art in its execution; no harmony in its relations; no dignity in its bearing: 'Tetrum ante omnia vultum.'

"The popular verdict was prompt—one mighty shout rent the air: 'Here is our Jupiter!' was the universal acclaim, all pointing to the masterpiece of sculpture, 'To the sea with the base imposture,' designating the inglorious statue.

"But the poet Alcaeus arrested the fierce outcroy: 'Men and brethren,' exclaimed he, 'I crave one further test of judgment; let but the applauded and the condemned statues each be elevated to the height of the shaft where the chosen one is to find its long repose before we judge conclusively.'

"To this fair proposal assent was finally made, and on the designated day the same eager throng filled the great space which was to be the scene of final judgment.

"The two draped figures were poised in mid-air. The draperies were unloosed, and the two competitors stood out in bold relief against the pure azure sky.

"But mark the change! The favorite had been transformed by the intervening distance. The classical features, the sparkling eye, the luminous countenance had vanished; but a greater transformation had been wrought in the other figure by distance, the arch enchanter.

"Life had been impressed upon those hitherto ungainly features—majesty sat enthroned upon those rugged lineaments—the eyes gleamed with the fire of genius; * * * 'deep on his front engraven deliberation sat, and public care'; and a god stood outlined in classical marble, to the view.

"A cry went up, drowning the sound of the waves that broke on the Lesbian shore: 'Here is, indeed, a god! this is worthy to preside at the council of the Immortals!! This is Jupiter!!!'

"In the year of destiny—1860—our people, moved by fate, met to select a Jupiter Tonans to preside over councils much more majestic than the fabled assemblages of Mount Olympus—councils involving the destiny of the human race.

"The competition which ensued and its results are indited on the most familiar pages of recent history; and the statue of Abraham Lincoln, reproduced ad infinitum in bronze, granite, and marble, and enshrined in all patriotic hearts, will remain the great central figure of humanity and unselfish patriotism as long as civilization shall hold sway."

VISITORS TO THE NAVAL ACADEMY

The SPEAKER. The Chair appoints on the Committee of Visitors to the Naval Academy, to fill the vacancy caused by the resignation of the gentleman from Texas [Mr. SUMNERS], the gentleman from Arkansas [Mr. OLDFIELD].

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BLAND, for three days, on account of important business.

To Mr. GOODWIN, for one week, on account of sickness in his family.

To Mr. ROMJUE, for one week, on account of important business.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TILSON. At the opening of the session this noon I asked unanimous consent that in case the District appropriation bill were completed before adjournment to-day that the House adjourn until Monday next. I assume that the bill having been completed a motion to adjourn now will mean a motion to adjourn until next Monday.

The SPEAKER. The Chair will so hold.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the following titles were taken from the Speaker's table and, under the rule, referred to the appropriate committees, as follows:

S. 1104. An act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River at or near Garland City, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 1637. An act for the relief of Martha Henson; to the Committee on War Claims.

S. 2370. An act to amend section 24 of the immigration act of 1917; to the Committee on Immigration and Naturalization.

S. 2450. An act to amend the immigration act of 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes"; to the Committee on Immigration and Naturalization.

S. 2737. An act for the relief of Morgan Miller; to the Committee on Claims.

S. 2781. An act to amend the Code of Law for the District of Columbia so as to empower the corporation counsel for the District of Columbia and his assistants to administer oaths; to the Committee on the District of Columbia.

S. Con. Res. 6. Concurrent resolution to print and bind the proceedings in Congress together with the proceedings at the unveiling in Statuary Hall of the statue of Alexander Hamilton Stephens, presented by the State of Georgia; to the Committee on Printing.

ENROLLED BILLS SIGNED

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

H. R. 5501. An act authorizing the Hermann Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Hermann, Gasconade County, Mo.;

H. R. 5502. An act authorizing the Washington Missouri River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Washington, Franklin County, Mo.;

H. R. 5722. An act authorizing the Rogers Bros. Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ashland, Ky.;

H. R. 6639. An act authorizing the Centennial Bridge Co. of Independence, Mo. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Liberty Landing, Clay County, Mo.;

H. R. 6991. An act authorizing the erection of a nonsectarian chapel at the Army medical center in the District of Columbia, and for other purposes;

H. R. 8106. An act authorizing F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Arrow Rock, Saline County, Mo.; and

H. R. 8107. An act authorizing Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Miami, Saline County, Mo.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1759. An act to authorize appropriation of treaty funds due the Wisconsin Pottawatomi Indians.

ADJOURNMENT

Mr. SIMMONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House, under its previous order, adjourned until Monday, February 27, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 25, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department 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).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To amend the immigration act of 1924 by making the quota provisions thereof applicable to Mexico, Cuba, Canada, and the other countries of continental America and adjacent islands (H. R. 6465).

For Monday, February 27, 1928

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 a. m.)

To further develop an American merchant marine, to assure its permanence in the transportation of the foreign trade of the United States (S. 744).

To promote, encourage, and develop an American merchant marine in connection with the agricultural and industrial commerce of the United States, provide for the national defense, the transportation of foreign mails, the establishment of a merchant-marine training school, and for other purposes (H. R. 2).

To amend the merchant marine act, 1920, insure a permanent passenger and cargo service in the North Atlantic, and for other purposes (H. R. 8914).

To create, develop, and maintain a privately owned American merchant marine adequate to serve trade routes essential in the movement of the industrial and agricultural products of the United States and to meet the requirements of the commerce of the United States; to provide for the transportation of the foreign mails of the United States in vessels of the United States; to provide naval and military auxiliaries; and for other purposes (H. R. 10765).

COMMITTEE ON WAYS AND MEANS

(10.30 a. m.)

Providing for the cooperation of the United States in the Pacific Southwest Exposition in commemoration of the landing of the Spanish padres in the Pacific Southwest and the opening of the Long Beach, Calif., world port (H. J. Res. 126).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

374. A letter from the Secretary of the Navy, transmitting draft of a proposed bill "To amend section 1493 of the Revised Statutes," as amended; to the Committee on Naval Affairs.

375. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Yaquina Bay and Entrance, Oreg.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII:

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 9018. A bill granting the consent of Congress to E. M. Elliott & Associates (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River; with amendment (Rept. No. 752). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 9953. A bill authorizing the State of Indiana, acting by and through the State highway commission, to construct, maintain, and operate a toll bridge across the Wabash River, at or near Vincennes, Ind.; with amendment (Rept. No. 753). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WARE: Committee on Claims. H. R. 9902. A bill for the relief of James A. DeLoach; with amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. JAMES: Committee on Military Affairs. H. R. 1627. A bill for the relief of Abram H. Johnson; with amendment (Rept. No. 754). 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. 11170) granting an increase of pension to Sarah C. Lutgen; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11366) granting an increase of pension to Ada M. Young; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 11402) authorizing and directing the War Department to obtain and place a commemorative monument on the spot where the late Thornsbury B. Brown lost his life; to the Committee on Military Affairs.

By Mr. BACON: A bill (H. R. 11403) to admit to the United States, and to extend naturalization privileges to, alien veterans of the World War; to the Committee on Immigration and Naturalization.

By Mr. CRAMTON: A bill (H. R. 11404) authorizing the Port Huron, Sarnia, Point Edward International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLEBRIGHT: A bill (H. R. 11405) to acquire an area of State land, situate in Lassen Volcanic National Park, State of California, by exchange; to the Committee on the Public Lands.

Also, a bill (H. R. 11406) to consolidate or acquire alienated lands in Lassen Volcanic National Park in the State of California by exchange; to the Committee on the Public Lands.

By Mr. FISHER: A bill (H. R. 11407) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. HOFFMAN: A bill (H. R. 11408) to provide for the participation in the erection of monuments and tablets to mark historic points of interest in the Battle of Monmouth; to the Committee on the Library.

By Mr. REECE: A bill (H. R. 11409) to provide for the appointment of cadets at the United States Military Academy from among members of enlisted reserve corps who have pursued the prescribed course at a civilian military training camp; to the Committee on Military Affairs.

By Mr. SPROUL of Kansas (by request): A bill (H. R. 11410) to amend the act of October 28, 1919, known as the national prohibition act (41 Stat. L. 85), as amended and supplemented, for the purpose of enforcing the eighteenth amendment to the Constitution more efficiently and preventing evasions thereof; to the Committee on the Judiciary.

By Mr. WINTER: A bill (H. R. 11411) to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended; to the Committee on Mines and Mining.

By Mr. MORTON D. HULL: A bill (H. R. 11412) to amend section 117 of the Judicial Code; to the Committee on the Judiciary.

By Mr. MORIN: A bill (H. R. 11413) to regulate the procurement of motor transportation in the Army; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 11414) to authorize the Secretary of Agriculture to establish trading rules and business practices for handlers of and dealers in fresh fruits and vegetables, to provide for a system of adjustment of disputes, and for other purposes; to the Committee on Agriculture.

By Mr. HOFFMAN: A bill (H. R. 11415) to amend the laws relating to navigation, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. MANLOVE: A bill (H. R. 11416) to amend an act entitled "An act to provide revenue, to regulate commerce with foreign countries to encourage the industries of the United States, and for other purposes"; to the Committee on Ways and Means.

By Mr. WAINWRIGHT: A bill (H. R. 11417) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands; to the Committee on Insular Affairs.

By Mr. HALL of Illinois: A bill (H. R. 11418) fixing salaries of United States Senators, Members of Congress, and others; to the Committee on the Judiciary.

By Mr. HUGHES: Resolution (H. Res. 125) to increase the salaries of employees of the House of Representatives, and for other purposes; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 11419) granting an increase of pension to Sarah E. Ward Goldsmith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11420) granting an increase of pension to Maggie J. La Dow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11421) granting an increase of pension to Richard Howe; to the Committee on Pensions.

By Mr. BECK of Pennsylvania: A bill (H. R. 11422) for the relief of Samuel J. D. Marshall; to the Committee on Military Affairs.

By Mr. BEERS: A bill (H. R. 11423) granting an increase of pension to Mary A. Deihl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11424) granting an increase of pension to Catharine Shirk; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11425) granting a pension to Amanda H. Lindstrom; to the Committee on Invalid Pensions.

By Mr. CELLER: A bill (H. R. 11426) for the relief of Benjamin Stern, and Melville A. Stern and Benjamin Stern, as executors under the last will and testament of Louis Stern, deceased, and Arthur H. Hahlo, as executor under the last will and testament of Isaac Stern, deceased, all of New York City, N. Y., for compensation and in settlement of their damages and loss sustained by virtue of a lease, in writing, dated September 12, 1919, between the said parties and the United States of America, by Daniel C. Roper, Commissioner of Internal Revenue; to the Committee on Claims.

By Mr. CLAGUE: A bill (H. R. 11427) granting a pension to Joseph Gilley; to the Committee on Pensions.

Also, a bill (H. R. 11428) granting a pension to Humphrey J. Roberts; to the Committee on Pensions.

By Mr. COHEN: A bill (H. R. 11429) granting six months pay to Marjory Virginia Watson; to the Committee on Military Affairs.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 11430) granting a pension to Sallie J. Courter; to the Committee on Invalid Pensions.

By Mr. DAVILA: A bill (H. R. 11431) for the relief of Maj. Daniel Rodriguez, United States Army, retired; to the Committee on Military Affairs.

By Mr. ESLICK: A bill (H. R. 11432) granting a pension to Era Gibbons; to the Committee on Pensions.

Also, a bill (H. R. 11433) granting a pension to Zuleska A. Chadwick; to the Committee on Pensions.

Also, a bill (H. R. 11434) granting a pension to Ada McGee; to the Committee on Pensions.

Also, a bill (H. R. 11435) granting an increase of pension to Mollie C. Horton; to the Committee on Pensions.

By Mr. FISH: A bill (H. R. 11436) for the relief of Noble M. Cornish; to the Committee on Military Affairs.

By Mr. FREAR: A bill (H. R. 11437) granting an increase of pension to Alice A. Kirkham; to the Committee on Invalid Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 11438) granting a pension to James E. Tribe; to the Committee on Pensions.

By Mr. MORTON D. HULL: A bill (H. R. 11439) granting a pension to Stella Jankowski; to the Committee on Pensions.

By Mr. IRWIN: A bill (H. R. 11440) granting a pension to Margaret M. Noonan; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11441) granting a pension to Angie Konkoskia; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11442) granting a pension to Alban D. Philson; to the Committee on Pensions.

By Mr. KADING: A bill (H. R. 11443) granting an increase of pension to Andrew J. Pohlman; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 11444) granting an increase of pension to Adelaide Durrum; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 11445) granting an increase of pension to Jennie S. Graham; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 11446) granting an increase of pension to Mary De Lige; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11447) granting a pension to George M. Fisher; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 11448) granting an increase of pension to Alex H. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11449) granting a pension to Louisa Mitchell; to the Committee on Invalid Pensions.

By Mr. McREYNOLDS: A bill (H. R. 11450) granting a pension to Jennie Lea Lawson; to the Committee on Invalid Pensions.

By Mr. MOORMAN: A bill (H. R. 11451) granting a pension to B. F. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11452) granting a pension to Mary E. Nix; to the Committee on Pensions.

Also, a bill (H. R. 11453) granting a pension to Mrs. Atwood P. Latham; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 11454) granting a pension to Sarah C. Lacy; to the Committee on Invalid Pensions.

By Mr. SEARS of Florida: A bill (H. R. 11455) granting a pension to Rose Bullard; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 11456) for the relief of Roland Baldwin Estep; to the Committee on Naval Affairs.

By Mr. TEMPLE: A bill (H. R. 11457) granting an increase of pension to Florence Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11458) granting a pension to Phenie Redman; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 11459) granting a pension to Rosie Renchen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11460) granting a pension to Willie Williams; to the Committee on Pensions.

By Mr. WELLER: A bill (H. R. 11461) granting an increase of pension to Mary G. Mahoney; 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:

4439. By Mr. AYRES: Petitions of citizens of Burton, Kans., and of Haven, Kans., against compulsory Sunday observance; to the Committee on the District of Columbia.

4440. By Mr. BURTON: Memorial of the Cleveland Association for Criminal Justice, Federal Reserve Bank Building, Cleveland, Ohio, indorsing the LaGuardia antifence bill (H. R. 96) prohibiting the sending and receipt of stolen property through interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

4441. Also, resolutions of members of the Mizpah Adult Class of the Moreland Boulevard Methodist Episcopal Church, Shaker Heights, Cleveland, Ohio, opposing the proposed 5 and 20 year naval building program presented to Congress; to the Committee on Naval Affairs.

4442. Also, resolution of the board of county commissioners of Lake County, Painesville, Ohio, requesting that the local financial contribution requested by Congress for the extension of the present breakwater at Fairport Harbor, Ohio, be waived; to the Committee on Rivers and Harbors.

4443. By Mr. CORNING: Petition of sundry citizens of the city of Albany, protesting against the passage of House bill 78, known as the Lankford Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

4444. By Mr. CLAGUE: Petition of Rev. J. P. Linn, Redwood Falls, Redwood County, Minn., and 90 others, supporting House bill 9588, Stalker bill; to the Committee on the Judiciary.

4445. Also, petition of H. F. Berkner, Sleepy Eye, Brown County, Minn., and others, opposing House bill 6465, Box immigration bill; to the Committee on Immigration and Naturalization.

4446. By Mr. DAVENPORT: Petition signed by George Patten and other citizens of Oneida County, N. Y., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

4447. Also, petition signed by citizens of Newport, N. Y., urging the passage of a bill to increase pensions to veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

4448. By Mr. ESTEP: Petition of Harry Arenson and 12 other citizens of Pittsburgh, protesting against House bill 78, the Langford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4449. By Mr. FAUST: Petition signed by many citizens of St. Joseph, Mo., petitioning for increased compensation for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4450. By Mr. GALLIVAN: Petition of Boston Typographical Union, No. 13, John O. Battis, secretary-treasurer, 819-820 Province Building, Boston, Mass., recommending early and favorable consideration of the Cooper-Hawes bills (H. R. 7729 and S. 1940); to the Committee on Labor.

4451. By Mr. GARBER: Resolution of George R. Anderson Post, No. 65, American Legion, Ardmore, Okla., in support of Senate bill 777 and House bill 500, for retirement of disabled emergency Army officers; to the Committee on World War Veterans' Legislation.

4452. Also, letter of the Merchants' Association of New York, in support of House bill 8557, providing for the establishment, operation, and maintenance of foreign trade zones in ports of entry in the United States; to the Committee on Interstate and Foreign Commerce.

4453. Also, letter of Mrs. George T. Norton, secretary-treasurer Ladies Auxiliary of the Payne County Rural Letter Carriers' Association in support of the Gibson bill and the Reece road bill; to the Committee on the Post Office and Post Roads.

4454. Also, letter of District of Columbia Federation of Woman's Clubs, Washington, D. C., in support of Senate bill 1907 and House bill 6664; to the Committee on the District of Columbia.

4455. Also, letter of Andy Montgomery, of the Enid Poultry & Egg Co., Enid, Okla., in support of Senate bill 2506 and House bill 9288; to the Committee on Agriculture.

4456. By Mr. HADLEY: Petition of residents of Everett, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

4457. Also, petition of residents of Jefferson County, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

4458. Also, petition of residents of Snohomish, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

4459. By Mr. HARRISON: Resolution of General Assembly of Virginia, in regard to the appropriation for roads; to the Committee on Appropriations.

4460. Also, resolutions of General Assembly of Virginia, in regard to emergency officers; to the Committee on Military Affairs.

4461. By Mr. HOFFMAN: Petition of Rev. Elijah F. Reed and 28 others of South Amboy, N. J., favoring enactment of the Lankford bill; to the Committee on the District of Columbia.

4462. Also, petition of Rev. G. E. Sehlbrede and 44 others of South Amboy, N. J., favoring enactment of the Lankford bill; to the Committee on the District of Columbia.

4463. By Mr. HOOPER: Petition of Maude Holmes and 127 other residents of Eaton Rapids, Mich., urging that a Civil War pension bill be brought to a vote; to the Committee on Invalid Pensions.

4464. By Mr. HOWARD of Nebraska: Petition signed by Laura Bane, of Genoa, Nebr., and 63 others of that city, protesting against the passage of the Lankford bill for compulsory observance of the Sabbath, or any other proposed legislation for compulsory Sunday observance; to the Committee on the District of Columbia.

4465. By Mr. IRWIN: Petition of Harry J. McRoberts, 337 East Broadway, East St. Louis, Ill., et al., praying for the enactment of legislation in behalf of veterans of the Civil War and widows of veterans of the Civil War at the present session of Congress; to the Committee on Invalid Pensions.

4466. By Mr. JENKINS: Petition signed by two voters of Meigs County, Ohio, urging that immediate steps be taken to bring to a vote a Civil War pension bill for the relief of widows and veterans; to the Committee on Invalid Pensions.

4467. By Mr. JOHNSON of Texas: Petition of Alamo Iron Works, of San Antonio, Tex., opposing House bill 7759, to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, etc.; to the Committee on the Judiciary.

4468. Also, petition of O. W. Atterbury, of San Antonio, Tex., indorsing the Box immigration bill; to the Committee on Immigration and Naturalization.

4469. Also, petition of Carl L. Lucas, of Houston, Tex., favoring and urging passage of the following bills: Senate bills 1727, 2106, and 2108; House bills 25, 55, 88, 89, 9059, 9502, 9585, and 9766, relative to Postal Service employees; to the Committee on the Post Office and Post Roads.

4470. Also, petition of Charles Penick, of Grapevine, Tex., favoring all legislation for the benefit of disabled American veterans; to the Committee on World War Veterans' Legislation.

4471. By Mr. JOHNSON of South Dakota: Petition of citizens of Iroquois and Herreid, S. Dak., protesting against the passage of any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4472. Also, petition of citizens of Milbank, S. Dak., urging immediate action on legislation increasing Civil War pensions; to the Committee on Invalid Pensions.

4473. By Mr. KELLY: Petition of Ladies of the Grand Army of the Republic, Maj. William G. Lowry Circle, of Wilkinsburg, Pa., praying for proper care of Civil War battle flags; to the Committee on the Library.

4474. Also, petition of Keystone Welfare Association, urging adoption of national origin plan in immigration legislation; to the Committee on Immigration and Naturalization.

4475. By Mr. MARTIN of Massachusetts: Petition of Rev. J. F. Knipschild and 95 other residents of Taunton, Mass., protesting against the enactment of a compulsory Sunday observance bill; to the Committee on the District of Columbia.

4476. By Mr. MEAD: Petition of numerous residents of Buffalo, N. Y., in opposition to Senate bill 1667; to the Committee on Interstate and Foreign Commerce.

4477. By Mr. MOORMAN: Petition submitted by the National Tribune, in reference to Civil War veterans; to the Committee on Invalid Pensions.

4478. Also, petition submitted by the National Tribune, in reference to Civil War veterans; to the Committee on Invalid Pensions.

4479. Also, petition submitted by residents of the fourth district of Kentucky, in reference to compulsory Sunday observance; to the Committee on the District of Columbia.

4480. By Mr. MOREHEAD: Petition containing over 200 names in behalf of the Federal employees at Omaha, Nebr., requesting the passage of the following bills: House bills 25, 492, 6518, and 7928; to the Committee on the Civil Service.

4481. By Mr. O'CONNELL: Petition of the drug and chemical section of the New York Board of Trade and Transportation, favoring the passage of House bill 9195, the Cuban parcel post bill; to the Committee on Ways and Means.

4482. Also, petition of the Upper Manhattan Chapter No. 42, Order of Ahepa National American Organization, favoring the passage of the Greece settlement legislation; to the Committee on Ways and Means.

4483. By Mr. PALMER: Memorial of Washington Camp No. 36, Patriotic Order Sons of America, of Pottsville, Pa., indorsing restriction of immigration, deportation of aliens, and continuance of our policy to protect American ideals and institutions; to the Committee on Immigration and Naturalization.

4484. By Mr. RAMSEYER: Petition of residents of sixth congressional district of Iowa, urging vote against the further postponement, amendment, or repeal of the national origins provision of the restrictive immigration act of 1924; to the Committee on Immigration and Naturalization.

4485. By Mr. SANDERS of New York: Petition of H. S. Austin and 18 other citizens of Attica, N. Y., protesting against the passage of House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4486. By Mr. SHALLENBERGER: Petition against compulsory Sunday observance; to the Committee on the District of Columbia.

4487. By Mr. SINNOTT: Petition of numerous citizens of Malheur County, Oreg., protesting against House bill 78, or any compulsory Sunday bills; to the Committee on the District of Columbia.

4488. By Mr. TIMBERLAKE: Petition signed by 1,973 residents of second Colorado district, against passage of House bill 78; to the Commmittee on the District of Columbia.

4489. By Mr. WAINWRIGHT: Petition of seven citizens of Harrison, N. Y., and one residing at Lyons, N. Y., protesting against the passage of House bill 78, known as the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

4490. By Mr. WEAVER: Petition of citizens of western North Carolina, protesting against the passage of House bill 78, Lankford Sunday observance law; to the Committee on the District of Columbia.

4491. By Mr. WYANT: Petition of Pennsylvania Council of Churches, 1,400,000 members, protesting against naval bill; to the Committee on Naval Affairs.

4492. Also, petition of Jeannette Post, No. 344, the American Legion, favoring American Legion legislative program, and particularly House bills 5604 and 8297; to the Committee on World War Veterans' Legislation.

4493. Also, petition of Washington Camp, No. 627, Patriotic Order of Sons of America, favoring passage of House bill 10078; to the Committee on Immigration and Naturalization.

4494. Also, petition of 60 members of the Church of the Italian Mission of Mount Pleasant, Pa., protesting against big navy bill and favoring passage of Lankford bill (H. R. 78); to the Committee on the District of Columbia.

4495. Also, petition of five residents of Greensburg, Westmoreland County, Pa., protesting against Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

4496. Also, petition of Sons of the American Revolution, indorsing House bill 10171; to the Committee on the District of Columbia.

4497. Also, petition of Pennsylvania Federation of Labor, indorsing Cooper-Hawes bills (H. R. 7729 and S. 1940); to the Committee on Labor.

4498. Also, petition of Post A, Virginia Division Travelers' Protective Association of America, with membership of over 1,600, indorsing House bill 5588; to the Committee on Interstate and Foreign Commerce.

4499. Also, petition of Jacob's Creek Council, Junior Order of United American Mechanics, favoring passage of House bill 3; to the Committee on Immigration and Naturalization.

4500. Also, petition of John F. Wolf Commandery, No. 364, Ancient and Illustrious Order Knights of Malta, favoring passage of House bill 10078; to the Committee on Immigration and Naturalization.

4501. Also, petition of A. & S. Wilson Co., contractors and builders, Pittsburgh, Pa., indorsing House bill 5772; to the Committee on the Judiciary.

SENATE

MONDAY, *February 27, 1928*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who alone gavest us the breath of life and alone canst keep alive in us the holy desires Thou dost impart, we implore Thy grace and protection for the ensuing day. Keep us temperate in all things, and make us to be diligent in our several callings, just and upright in all our dealings, quiet and peaceable, full of compassion, ready to do good to all men according to our abilities and opportunities. Defend us from all dangers and adversities; and be graciously pleased to take us and all things belonging to us, and all who are near and dear unto us, under Thy fatherly care and protection. These things, and whatever else Thou shalt see necessary and convenient to us, we humbly beg through the merits and mediation of Thy Son Jesus Christ, our Lord and Savior. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Friday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 11133) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1929, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 11133) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1929, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Dale	Harrison	Norbeck
Bayard	Deneen	Hayden	Norris
Bingham	Dill	Heflin	Nye
Black	Edge	Howell	Oddie
Blaine	Edwards	Johnson	Overman
Blease	Ferris	Jones	Phipps
Borah	Fess	Kendrick	Pittman
Bratton	Fletcher	Keyes	Ransdell
Brookhart	Frazier	La Follette	Reed, Pa.
Broussard	George	McKellar	Robinson, Ind.
Bruce	Gerry	McLean	Sackett
Capper	Gillett	McMaster	Schall
Caraway	Glass	McNary	Sheppard
Copeland	Gould	Mayfield	Shipstead
Couzens	Greene	Metcalf	Shortridge
Curtis	Hale	Moses	Simmons
Cutting	Harris	Neely	Smoot