4726. Also, petition of the Street & Smith Corporation, publishers, of New York City, opposing section 611 and requesting that the same be stricken from the proposed revenue act; also requesting that instead of repealing section 612 the same be clarified; to the Committee on Ways and Means.

4727. Also, petition of the North American Water Works Corporation, New York City, favoring the passage of House bill 11026, to provide for the coordination of the public health activities of the Government; to the Committee on Interstate and Foreign Commerce.

4728. Also, petition of the Dixie Post, No. 64, Veterans of Foreign Wars of the United States, National Sanatorium, Tenn., favoring the passage of the Rathbone bill (H. R. 9138); to the Committee on Pensions.

4729. Also, petition of the District of Columbia Federation of Women's Clubs, Washington, D. C., favoring the passage of the Capper-Gibson bills (S. 1907 and H. R. 6664); to the Committee on the District of Columbia.

4730. By Mr. PRALL: Resolution passed by the Friendship Council, No. 44, Junior Order of the American Mechanics of the State of New York (Inc.), Port Richmond, Staten Island, N. Y., received from Frank W. Hugi, recording secretary, relative to 3,000,000 aliens in the United States illegally and unlawfully; to the Committee on Immigration and Naturalization.

4731. By Mr. SANDERS of Texas: Petition of W. M. Stuart and several other citizens of Van Zandt County, Tex., in behalf of the Hudspeth bill to prevent gambling in cotton futures and to make it unlawful for any person, corporation, or association of persons to sell any contract for future delivery of any cotton within the United States, unless such seller is actually the legitimate owner of the cotton so contracted for future delivery at the time said sale or contract is made; to the Committee on Agriculture.

4732. By Mr. SPEAKS: Petition signed by Mr. Samuel E. Keith and some 60 citizens of Franklin County, Ohio, urging that all Civil War widows be granted an allowance of $50 per month; to the Committee on Invalid Pensions.

4733. By Mr. THATCHER: Petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4734. Also, petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4735. Also, petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4736. Also, petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4737. Also, petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4738. Also, petition of numerous citizens of Louisville, Ky., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4739. By Mr. WEAVER: Petition of sundry citizens of Haywood County, N. C., protesting against House bill 78, the Lankford Sunday observance bill; to the Committee on the District of Columbia.

4740. By Mr. WINGO: Petition of certain citizens of Pike County, Ark., indorsing increased pensions for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4741. By Mr. WOOD: Protest of M. R. Lowenstine, of Valparaiso, Ind., against the enactment of Senate bill 1572; to the Committee on the Post Office and Post Roads.

4742. Also, petition of sundry citizens of Lake County, Ind., protesting against an increase of the present quotas of immigrants to this country; to the Committee on Immigration and Naturalization.

SENATE

THURSDAY, *March 1, 1928*

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

Almighty God, the fountain of all wisdom, who knowest our necessities before we ask and our ignorance in asking, have compassion, we beseech Thee, upon our infirmities, strengthen us, we pray Thee, with Thy Holy Spirit, and daily increase in us Thy manifold gifts of grace, the spirit of wisdom and understanding, the spirit of counsel and knowledge and true godliness. And those things which for our unworthiness we dare not and for our blindness we can not ask, vouchsafe to give us for the worthiness of Thy Son, Jesus Christ our Lord. Amen.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 9040. An act to establish the standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, semolina, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes;

H. J. Res. 192. Joint resolution to provide for the coinage of a medal in commemoration of the achievements of Col. Charles A. Lindbergh; and

H. J. Res. 223. Joint resolution making an additional appropriation for the eradication or control of the pink bollworm of cotton.

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

Mr. GERRY. I wish to announce that the Senator from New Jersey [Mr. EDWARDS] is necessarily detained from the Senate on account of illness in his family.

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

HOUSE BILL AND JOINT RESOLUTIONS REFERRED

The following bill and joint resolutions were severally read twice by their titles and referred as follows:

H. R. 9040. An act to establish the standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, semolina, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes; to the Committee on Agriculture and Forestry.

H. J. Res. 192. Joint resolution to provide for the coinage of a medal in commemoration of the achievements of Col. Charles A. Lindbergh; to the Committee on the Library.

H. J. Res. 223. Joint resolution making an additional appropriation for the eradication or control of the pink bollworm of cotton; to the Committee on Appropriations.

ENROLLED BILLS SIGNED

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H. R. 121. An act authorizing the Cairo Association of Commerce, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cairo, Ill.; and

H. R. 5679. An act authorizing the Nebraska-Iowa Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River between Washington County, Nebr., and Harrison County, Iowa.

PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts presented memorials of sundry citizens of Boston and other municipalities in the State of Massachusetts, remonstrating against the passage of the so-called Brookhart bill (S. 1667) relative to the distribution of motion

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pictures in the various motion-picture zones of the country, which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Boston, Cambridge, and Medford, and of sundry other citizens, all in the State of Massachusetts, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. SIMMONS presented a petition of sundry citizens of Jackson County, N. C., praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. FRAZIER presented the petition of Walter D. Sundquist and 63 other citizens of Wilton, N. Dak., praying for the adoption of measures to clarify the interference situation in radio broadcasting so as to improve radio reception, which was referred to the Committee on Interstate Commerce.

Mr. BARKLEY presented petitions of sundry citizens of the State of Kentucky, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. HOWELL presented a petition of sundry citizens of Polk County, Nebr., praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. WILLIS presented a petition of sundry citizens of Cincinnati and Norwood, in the State of Ohio, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. COPELAND presented a letter, in the nature of a petition, from Capt. Fritz Nelson, immigration secretary, the Salvation Army, at New York, N. Y., praying for the passage of the bill (S. 2271) to permit the admission, as nonquota immigrants, of certain alien wives and children of United States citizens, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the transportation committee of the Buffalo (N. Y.) Chamber of Commerce, opposing the passage of the bill (S. 1760) to increase the capital stock of the Inland Waterways Corporation and protesting against the Government continuing the operation of transportation facilities, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Yonkers and Edinburg, in the State of New York, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented resolutions adopted by De Witt Clinton Council, No. 190, Junior Order United American Mechanics, of Yonkers, N. Y., favoring the passage of legislation providing for the registration of all aliens in the United States and providing for alien deportation, and also requesting that no further postponement be had in the execution of the national-origins provision of the existing immigration law, which were referred to the Committee on Immigration.

REPORTS OF COMMITTEES

Mr. STECK, from the Committee on Military Affairs, to which was referred the bill (S. 2733) to amend the military record of Joseph Cunningham, reported it with amendments and submitted a report (No. 445) thereon.

Mr. GERRY, from the Committee on Naval Affairs, to which was referred the bill (S. 1852) to correct the naval record of John Lewis Burns, reported it without amendment and submitted a report (No. 447) thereon.

DELAWARE RIVER BRIDGE, BURLINGTON, N. J.

Mr. DALE. Mr. President, from the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 7948) to extend the times for commencing and completing the construction of a bridge across the Delaware River at or near Burlington, N. J., and I submit a report (No. 446) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill 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.

OHIO RIVER BRIDGE AT RAVENSWOOD, W. VA.

Mr. NEELY. I ask unanimous consent for the present consideration of the bill (H. R. 6073) granting a permit to construct a bridge over the Ohio River at Ravenswood, W. Va.

There being no objection, the bill was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, E. M. Elliott, Chicago, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Ravenswood, W. Va., 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 E. M. Elliott, Chicago, his heirs, legal representatives, 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 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 or expropriation of property for public purposes in such State.

SEC. 3. That said E. M. Elliott, Chicago, his heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls 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, either the State of West Virginia, the State of Ohio, any public agency or political subdivision of either of such States within or adjoining which any part of the bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, 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 costs, 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 States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, 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 for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. E. M. Elliott, Chicago, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War, and with the Highway Departments of the States of West Virginia and Ohio, a sworn itemized statement showing the actual original cost of constructing the 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, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said E. M. Elliott, Chicago, his heirs, legal

representatives, and assigns, shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, 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 E. M. Elliott, Chicago, his heirs, legal representatives, 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 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.

The title was amended so as to read: "A bill authorizing E. M. Elliott, of Chicago, his heirs, legal representatives and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ravenswood, W. Va."

MISSISSIPPI RIVER BRIDGE AT HICKMAN, KY.

Mr. BARKLEY. I ask unanimous consent for the present consideration of the bill (H. R. 7921) authorizing A. Robbins, of Hickman, Ky., his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Hickman, Fulton County, Ky.

Mr. CURTIS. It is in the regular form of a bridge bill?

Mr. BARKLEY. Yes; in regular form.

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.

MISSISSIPPI RIVER BRIDGE AT NEW ORLEANS

Mr. BROUSSARD. I ask unanimous consent for the present consideration of the bill (H. R. 10298) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Orleans, La. I have just talked to the chairman of the subcommittee on commerce in charge of the bill and he has consented to my asking that the bill be considered at this time.

Mr. CURTIS. Has the bill been reported from the Committee on Commerce?

Mr. BROUSSARD. The Senator from Vermont [Mr. DALE] is chairman of the subcommittee and he authorized me to ask for its consideration at this time. The permit is about to expire and the parties interested would like to have it extended.

Mr. SMOOT. An extension of time for how long?

Mr. BROUSSARD. One year to commence and three years to complete. The permit will expire on the 2d of March.

Mr. CURTIS. I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill and that the bill be placed on its passage.

There being no objection, the Committee on Commerce was discharged from the further consideration of the bill, and the Senate, as in Committee of the Whole, proceeded to its consideration.

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

RECOMMITTAL OF BILLS

On motion of Mr. GEORGE, the following bills were recommitted to the Committee on Military Affairs:

A bill (H. R. 2294) for the relief of George H. Gilbert; and

A bill (H. R. 4655) for the relief of David E. Goodwin.

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. BRUCE:

A bill (S. 3440) to vacate certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia, and to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street; to the Committee on the District of Columbia.

By Mr. WALSH of Massachusetts:

A bill (S. 3441) granting an increase of pension to Mary Frary; to the Committee on Pensions.

A bill (S. 3442) to admit to the United States Chinese wives of certain American citizens; to the Committee on Immigration.

A bill (S. 3443) to permit persons on the active or retired list of the military or naval forces to receive compensation under the World War veterans' act, 1924, as amended, in lieu of active or retired pay; to the Committee on Finance.

By Mr. BRATTON:

A bill (S. 3444) granting a pension to Daniel Armijo (insane); and

A bill (S. 3445) granting a pension to George H. Bain (with accompanying papers); to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3446) for the relief of Allan MacRossie, jr.; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 3447) granting a pension to Clair Childers; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 3448) granting an increase of pension to Mary Gocke; to the Committee on Pensions.

By Mr. FRAZIER:

A bill (S. 3449) granting an increase of pension to Lucy A. Freeman (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3450) granting a pension to Oakey F. Albright (with accompanying papers); to the Committee on Pensions.

By Mr. BAYARD:

A bill (S. 3451) granting an increase of pension to Catherine Fluehr (with accompanying papers); to the Committee on Pensions.

A bill (S. 3452) for the relief of George W. Abberger; to the Committee on Claims.

By Mr. ROBINSON of Indiana:

A bill (S. 3453) to confer jurisdiction upon the Court of Claims to hear and determine the claim of Clara Percy; to the Committee on the Judiciary.

By Mr. METCALF:

A bill (S. 3454) granting an increase of pension to Hortense J. S. Church (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 3455) granting a pension to Sarah J. Pummel; to the Committee on Pensions.

By Mr. REED of Pennsylvania:

A bill (S. 3456) allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, to the medical officer assigned to duty as personal physician to the President; to the Committee on Military Affairs.

By Mr. WILLIS:

A bill (S. 3457) to amend section 58 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Territories and Insular Possessions.

By Mr. WALSH of Massachusetts:

A joint resolution (S. J. Res. 104) for the relief of Katherine Imbrie, widow of the late United States Vice Consul Robert Whitney Imbrie; to the Committee on Foreign Relations.

By Mr. REED of Pennsylvania:

A joint resolution (S. J. Res. 105) providing for the issuance of a special postage stamp in commemoration of the one hundredth anniversary of the first run of a locomotive in America; to the Committee on Post Offices and Post Roads.

AMENDMENT TO TAX BILL—LIENS ON REAL PROPERTY

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill No. 1, the tax reduction bill, which was referred to the Committee on Finance and ordered to be printed.

MUSCLE SHOALS

Mr. HEFLIN. Mr. President, I submit an amendment in the nature of a substitute which I may desire to offer to the Senate Joint Resolution 46, relative to Muscle Shoals, now the unfinished business of the Senate. I ask that the proposed substitute may be printed and lie on the table.

The VICE PRESIDENT. The amendment in the nature of a substitute will be printed and lie on the table.

CONSTUCTION OF RURAL POST ROADS

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (S. 2327) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

CALF-LEATHER INDUSTRY

Mr. COPELAND. Mr. President, the condition of the calf-leather industry of the United States was brought to the attention of the Congress about three years ago and the Department of Commerce and the United States Tariff Commission, under a joint resolution introduced by me, made an investigation of the causes of depression in that industry, and the effect of foreign competition, calf leather being on the free list. A detailed report was accordingly submitted to the Congress under date of February 11, 1925, in which it was shown that the foreign tannery wage on an average was 67 per cent below the American scale.

The average wage per hour for tannery workers then paid in the United States was 52.7 cents, whereas those of five principal tanning countries of continental Europe ranged between 12 and 20 cents, and it is the competition from these countries that is being so keenly felt. It hardly need be said that American tannery workers could not even begin to subsist on such poor wages.

It was also shown in this report that European tanners in particular occupy a strategic position as regards the securing of lower priced tanning materials, dyes, and other chemicals essential to the production of calf leather, the report showed.

Since the 1925 report of the Department of Commerce was submitted to Congress very little improvement has been made in the depressed condition of the calf-leather industry. Indeed, the situation is worse, viewed from the interests of both the tanner and the laboring men employed by him.

Therefore it seems timely to ask the United States Tariff Commission to make another inquiry as to the extent of the sales of foreign calf leather in the United States and the difference in the wages of tannery workers in the United States and competitive countries. I ask for the reading of the resolution which I send to the desk.

The Chief Clerk read the resolution (S. Res. 163), as follows:

Resolved, That the United States Tariff Commission is hereby requested to investigate and report to the Senate the extent of sales of foreign calf leather in the United States since January 1, 1925, and the rates of wages paid calf tannery workers in the United States and competing countries.

Mr. COPELAND. In view of the pressing nature of the conditions existing in the industry, I ask unanimous consent for the immediate consideration of the resolution.

Mr. SMOOT. I ask the Senator to let it go over until tomorrow. I think I can get for him the information which he desires. If not, I shall have no objection to the resolution.

Mr. COPELAND. Very well.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The resolution will go over.

WITHDRAWAL OF PAPERS—J. H. ORR

On motion of Mr. CAPPER, it was—

Ordered, That the papers filed in support of S. 2135, Sixty-eighth Congress, for the relief of J. H. Orr, be withdrawn from the files of the Senate, no adverse report having been made thereon.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the 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.

The message also announced that the House had disagreed to the amendments of the Senate to 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, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARBOUR, Mr. CLAGUE, Mr. TABER, Mr. HARRISON, and Mr. COLLINS were appointed managers on the part of the House at the conference.

APPROPRIATIONS FOR THE WAR DEPARTMENT

Mr. WARREN. I ask the Chair to lay before the Senate the action of the House of Representatives just received on House bill 10286.

The PRESIDING OFFICER (Mr. THOMAS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to 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 requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, that the invitation of the House for a conference be accepted, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. REED of Pennsylvania, Mr. JONES, Mr. WARREN, Mr. HARRIS, and Mr. FLETCHER conferees on the part of the Senate.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts:

On February 27, 1928:

S. 1154. An act to authorize the use by the county of Yuma, Ariz., of certain public lands for a municipal aviation field, and for other purposes.

On February 28, 1928:

S. 1425. An act to remove a cloud on title.

On February 29, 1928:

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

NATIONAL FOREST RESERVATION COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Public Lands and Surveys:

To the Congress of the United States:

I am transmitting herewith for the consideration of the Congress copies of resolutions adopted by the National Forest Reservation Commission at its meeting held on February 18, 1928, together with letters from the Secretary of Agriculture relating to the proposed addition of certain public lands to the Fremont National Forest, in the State of Oregon, and the Bighorn National Forest, in the State of Wyoming, which have been submitted by the President of the National Forest Reservation Commission.

CALVIN COOLIDGE.

THE WHITE HOUSE, *March 1, 1928.*

[NOTE.—Resolutions accompanied similar message to the House of Representatives.]

THE RADIO SITUATION

Mr. DILL. Mr. President, a few days ago I made some remarks about the radio situation and referred to the House amendment which was pending at that time. I have had further information regarding it which has caused me to reconsider some things I said about the amendment. I ask to have inserted in the RECORD a statement by Representative DAVIS, of Tennessee, printed in the United States Daily of February 29, 1928, on this subject, and also the last page and a half of the House committee report on Senate bill 2317.

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

BILL TO REALLOCATE RADIO WAVE LENGTHS IS DEFENDED BY REPRESENTATIVE DAVIS—PRESENT DISTRIBUTION OF STATIONS AND POWER IS CRITICIZED AS UNFAIR TO LISTENERS

Representative DAVIS (Democrat), of Tullahoma, Tenn., on February 28 issued a statement defending the proposal for an equitable distribution of radio wave lengths and station power as provided in an amendment to the radio bill (S. 2317).

The amendment was adopted by the House Committee on Merchant Marine and Fisheries at the instance of Mr. DAVIS and will be included in the bill as it will be reported to the House. The committee already has given the measure as amended its approval and authorized the preparation of a favorable report. The full text of the statement of Mr. DAVIS, which is a reply to a recent statement of O. H. Caldwell, a member of the Federal Radio Commission, follows:

The intemperate attack upon the distribution clause contained in the radio bill favorably reported by the House Committee on the Merchant Marine and Fisheries given to the press by Commissioner O. H. Caldwell shows conclusively that such a clause is necessary to insure relief from the present unfair and discriminatory distribution.

The radio act passed by the last Congress authorizes an equitable distribution and indicated to the commission that Congress desired such a distribution. However, this provision was wholly ignored by the commission. The amendment in question directs what the committee conceived to be a proper distribution.

DISTRIBUTION OF POWER AND WAVES CRITICIZED

The existing law divides the country into five zones, the first four zones being of substantially equal population, and the fifth zone being of considerably less population but much larger geographical area. According to the present set-up the number of broadcasting licenses and the station power they are authorized to employ are as follows:

Zone	Number stations	Total station power in watts	Percentage of station power
1	138	213,055	35.30
2	115	116,805	19.34
3	102	47,105	7.80
4	215	164,870	27.31
5	131	61,785	10.24
Total	701	603,620	100.00

The third zone, with the largest population of any of the zones and by far the largest area except the fifth zone, is granted but 7.8 per cent of the total station power. The second zone, with but 40,000 less population and a much larger area and embracing the cities of Philadelphia, Pittsburgh, Detroit, Cleveland, Cincinnati, and Louisville, has but little more than half of the station power authorized in the first zone. The six New England States, with nearly a third of the population of the first zone, have less than an eighth of the power. In the fourth zone, Illinois, with about a fourth of the population of that zone, has more than half of the power granted the stations in the 10 States of that zone. Instances of such gross discriminations could be extended indefinitely.

Commissioner Caldwell proceeds upon the false premise that the zones with stations and power in excess of their quota must be reduced to the basis of the third zone, which has the smallest number of stations and power. Surely Mr. Caldwell knew that the provision required no such thing; it simply provides for an equalization as between the zones. The equalization could be brought about by an increase of power in the zones now so deficient in power, or by both reductions and increases. Manifestly such a course should be followed.

Members of the Radio Commission have been credited with the statement that there should be a substantial reduction in the present number of stations, particularly in the congested areas. Stations for elimination have been placed as high as 300. Mr. Caldwell indicated at the hearings that he favored the elimination of about half that number.

It is recognized by those familiar with the situation that there are too many broadcasting stations in certain congested areas, and there is much complaint from the listeners in such areas. The air is cluttered up and reception frequently very unsatisfactory, not to speak of the fact that the citizens in such areas are unable to get reception from outside stations with any degree of satisfaction. Consequently such a situation is not only unsatisfactory from a local standpoint but it deprives neglected sections of the country of wave lengths and power to which they are justly entitled.

Proceeding upon his false premise, Mr. Caldwell undertakes to show the havoc that would be played in New Jersey, and in order to magnify his argument he very improperly charges to New Jersey the Radio Corporation Station WJZ with 30,000 watt power, which is a New York station with its broadcasting apparatus in New Jersey. As a matter of fact, under the present frame up New Jersey has less than one-twelfth of the station power accorded that zone, although it has over one-eighth of the population. Of course, all of his conclusions based upon a false premise are likewise incorrect.

EQUAL ALLOCATIONS FOR ZONES ASKED

The amendment in question is as follows:

"The licensing authority shall make an equal allocation to each of the five zones established in section 2 of this act of broadcasting licenses, of wave lengths, and of station power; and within each zone shall make a fair and equitable allocation among the different States thereof in proportion to population and area."

Of course, this provision would be administered in connection with all the other provisions of the act, including the provision in the same paragraph and immediately preceding the distribution clause, which is as follows:

"The licensing authority, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this act, shall grant to any applicant therefor a station license provided for by this act."

We take the position that the citizens in one section of this country are entitled to the same consideration as a like number in another section.

Mr. Caldwell pretends to be concerned in the interest of the listeners, but his words and actions do not so indicate.

He makes a spacious and misleading argument with respect to the ownership of radio receiving sets. According to the estimates of a responsible radio magazine, such sets in the United States are distributed among the different zones in the following proportion: 24.2 per cent in the first zone; 21.04 per cent in the second zone; 15.97 per cent in the third zone; 25.01 per cent in the fourth zone; 13.11 per cent in the fifth zone.

If better treatment is accorded stations in the third zone, so that the citizens therein can get decent reception, there will be a large and immediate increase in receiving sets in that zone. Commissioner Lafount has just had changes made in 70 stations to improve reception in his, the fifth zone.

We are dealing with the subject from the standpoint of the public generally and the listeners in particular. The public is certainly not concerned alone in a few high-powered monopoly stations. They are also interested in sectional, State, and local stations. We want such a distribution of stations, wave lengths, and power that the listeners can satisfactorily hear any stations they desire, and not be compelled to listen only to a few favored stations as is now the case.

BENEFITS TO LISTENERS PREDICTED UNDER ACT

Mr. Caldwell states that the enactment "of this abominable redistribution clause" will wreck "our present wonderful radio broadcasting structure." It may wreck the plans of a few high-powered monopoly stations and their affiliated chain stations to preempt the broadcasting field, but it will vastly improve the broadcasting structure from the public standpoint.

Mr. Caldwell's libelous designation of this clause is in keeping with his denunciation of provisions in the bill, which are enacted into the present law, against the acquirement of vested rights and providing that persons financially interested in the radio industry should not be eligible to membership on the Federal Radio Commission; and his characterization as "vicious in the extreme" of another provision then in the bill, but now in the act, providing that a station license shall be refused to any person, firm, or corporation "which has been found guilty by any Federal court of unlawfully monopolizing or attempting to monopolize radio communication, through manufacture or sale of radio apparatus or which has used unfair methods of corruption."

The Radio Commission has cleared 25 channels or wave lengths between the range of 600 and 1,000 kilocycles, decidedly the most valuable range. On 24 of these channels they have placed chain stations, including the high-powered monopoly stations; on these 24 cleared channels they have placed a total of 31 chain stations. They have granted to the stations on these wave lengths more station power than is granted to the remaining stations, approximately 624 in number, which are crowded together on the remaining 64 less-desirable wave lengths.

The broadcasting stations owned by the General Electric, Westinghouse, Radio Corporation of America, and the National Broadcasting Co., which is owned by the said three companies, are given an aggregate station power of 213,000 watts.

Mr. Caldwell sarcastically complains that Congress has failed to provide funds for personnel and equipment for the Radio Commission. After the enactment of the radio bill creating the commission in the last Congress, the only appropriation bill in which appropriations could be made for the Radio Commission was the deficiency appropriation bill which failed of passage because of the Senate filibuster. During the present Congress the deficiency bill was quickly enacted, and the independent offices appropriation bill, which properly embraces the appropriation for the Radio Commission, has passed the House, and the commission did not ask that there be included in either of those bills any more than the salaries of the commission, its secretary, and perhaps a very few other subordinate officials; at any rate, the appropriation which they asked for was included.

Mr. Caldwell stated in the recent hearings that he did not think that the commission needed any expert advisers—he doubtless preferred to perform that function himself.

Mr. Caldwell also complains that the Senate has not confirmed three members of the Radio Commission. He is more responsible for that situation than anybody else.

It remains to be seen whether Mr. Caldwell and those for whom he is speaking and for whom he has been acting will be able to arrogantly dictate to Congress a legislative policy.

[House of Representatives, Seventieth Congress, first session, Committee on the Merchant Marine and Fisheries, Rept. No. 800]

* * * * * * *

Your committee has added a new section which deserves the thoughtful consideration of the House. The second paragraph of section 9 of existing law has been the subject of much controversy. Some have contended that it imposed the obligation upon the commission to distribute stations, power used, and wave lengths equitably among the States. Others have insisted that the 1927 act directed the commission to so locate stations and to so distribute power and wave lengths to them that there might result equitable service to the people in the different parts of the country. It is now urged by many persons in the third zone that the people in the States of this zone have neither a fair proportion of stations, of power, or of desirable wave lengths, nor do they receive the service to which they are entitled. Like complaints have come from other zones and States.

This third zone has a greater percentage of the population of the United States than either of the other zones and is second in area. It has, however, the smallest number of stations, with less power authorized to be used by them than any of the other zones. It has very few stations with power in excess of 1,000 watts. Figures as to these items change often. The following table may not be strictly accurate, but it represents the present situation with substantial correctness:

Analysis of broadcasting licenses

	Population	Population (per cent)	Area (square miles)	Area (per cent)	Number of stations	Total station power in watts	Percentage of station power	Stations with over 1,000 watts
Zone 1	24,378,131	22.73	129,769	3.63	138	213,055	35.30	10
Zone 2	24,337,341	22.69	247,517	6.93	115	116,805	19.34	8
Zone 3	24,826,050	23.14	761,895	21.33	102	47,105	7.80	4
Zone 4	24,492,986	22.83	658,148	18.42	215	164,870	27.31	30
Zone 5	9,213,720	8.59	1,774,447	49.68	131	61,785	10.24	8
Total	107,248,228	100.00	3,571,776	100.00	701	603,620	100.00	60

It is not to be concluded from the set-up here disclosed that the licensing authority has been guilty of intentional discrimination against this third zone. Prior to the present radio law there was no authority to control the location of stations. It does no violence to truth to say that prior to March, 1927, stations were built whenever and wherever applicants desired and that there was no legal power to control either the use of wave lengths or power. The present commission on its assumption of authority found conditions not much different than they now are. It is perhaps idle to consider whether the commission during the past year could or should have brought about a redistribution. This amendment looks to the future. It declares in terms the duty of the licensing authority to make an equal allocation among the five zones, of broadcasting licenses, of wave lengths, and of station power and provides that within each zone there shall be an equitable allocation among the States thereof in proportion to population and power. The equality here sought is not an exact mathematical division. That may be physically impossible. The language does not contemplate the withdrawal of station licenses, of power and of wave lengths from others, and an impounding thereof in the absence of applications from the third or other zones therefor. It does not suggest that the requirement of the law of a showing of public interest, convenience, or necessity as the basis for the grant of a license, or that other provisions of the law are to be waived. It is intended, however, to require of the licensing authority that as soon as may be and in proper cases licenses in number and in kind shall be granted to applicants from this third zone and other sections of the country sufficient to bring equality in the particulars specified. If, however, within the entire United States the saturation point is now reached and additional stations or additional power or other wave lengths may not be granted in a particular zone without prejudice to all, then it necessarily follows that there must be worked out a redistribution of the stations and of the power and of wave lengths now authorized. This equality does not necessarily require the reduction of all other zones to the level of the least favored. It might be achieved by raising all to the plane of the highest, or it might be effected by a combination of new grants and a redistribution of existing licenses. There is no warrant for the assumption that the first of these alternatives is the only way in which this problem can be worked out. The amendment declares a desired end but does not presume to direct the commission as to the steps necessary to attain the result sought. Your committee does not believe that it seeks either an impossible or an unreasonable solution. It is not anticipated that this purpose will be immediately accomplished but we conceive it to be basically right and recommend that the commission should proceed to make such allocation as will reasonably meet this rule as speedily as it may be done.

PROPOSED STREET RAILWAY MERGER IN DISTRICT OF COLUMBIA

Mr. BROOKHART. Mr. President, I read from the Washington Herald a statement in reference to the traction situation in this city:

John H. Hanna, president of the Capital Traction Co., declared that should the merger fail to go through his company certainly would ask an increased fare and get it. Prospects of a higher fare in any event were seen in the fact that, even granting the estimated savings through a merger, the estimated return under the present rate would total a fraction under 6 per cent. The companies insist upon a return of 7 per cent.

Mr. President, it is with some desire to raise an issue as to the proposed return of 7 per cent that I rise at this time. I would like to ask the Senator from Kansas [Mr. CAPPER] chairman of the Committee on the District of Columbia, as to the situation with reference to the rate question that is being considered.

Mr. CAPPER. I will say to the Senator from Iowa that there is no measure of any kind, bill, resolution, or otherwise, before the Committee on the District of Columbia, or any other committee of the Senate that I know of, which involves the merger of the transportation lines in the District of Columbia.

Mr. BROOKHART. In what shape is it pending that brings on this publicity?

Mr. CAPPER. The merger matter is now before the Public Utilities Commission of the District of Columbia in the form, apparently, of an agreement reached by the transportation companies of this city whereby they propose to form a merger. The Public Utilities Commission are holding hearings and inquiring into the merits of the merger plan. When they have concluded their hearings, if they see fit to approve the program agreed to by the transportation companies, the Public Utilities Commission will, under the terms of the merger act passed by Congress, submit to Congress for ratification or rejection the merger plan.

Mr. BROOKHART. The matter then will come before the Senate for action?

Mr. CAPPER. Yes; and let me add that nothing can be done in the District of Columbia, so far as a merger of the transportation lines is concerned, without ratification and approval by Congress.

Mr. BROOKHART. I thank the Senator from Kansas.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator from Kansas if the Public Utilities Commission have the power to raise or lower rates for the carrying of passengers on street cars in the District of Columbia?

Mr. CAPPER. I think they have.

Mr. ROBINSON of Arkansas. It appears that a rate of 8 cents is being charged in the District and has been charged, I think, since about the beginning of the war period. Does the Senator from Kansas know of any large city in the United States where a fare greater than that is being collected?

Mr. CAPPER. I do not. Furthermore, I can conceive of no situation that might arise which would justify or warrant any increase by the transportation companies in the rates now charged the people of this city.

Mr. ROBINSON of Arkansas. The object which prompted me to say anything in this connection grows out of the fact that it has seemed that a reduction might be made in the fares which are being charged in the District of Columbia. The present rate was imposed during the war period. It is very high. Eight cents, I think, is as high as is being charged and collected anywhere in the country. Of course, there are 6 tokens sold here for 40 cents, but that is not very different from a rate of 8 cents for a single fare.

I recognize as a fundamental principle of economics and of law that those who invest their moneys in any enterprise affected with a public interest have the right to a reasonable return on their investment when their business is honestly and economically administered.

Mr. CARAWAY. Will the Senator pardon me for just a moment?

Mr. ROBINSON of Arkansas. I yield to the Senator from Arkansas.

Mr. BROOKHART. I think I have the floor.

Mr. ROBINSON of Arkansas. If the Senator declines to yield, I shall wait and take the floor in my own right.

Mr. BROOKHART. I wanted to make a suggestion in answer to what the Senator has just said.

Mr. ROBINSON of Arkansas. I have not concluded what I was going to say. I should like the Senator from Iowa to yield to my colleague.

Mr. BROOKHART. I, too, want all questions to be asked which any Senator may desire to ask, but I should like to complete my statement before yielding the floor.

The senior Senator from Arkansas has suggested that the rate of fare is too high, and there are some fundamental economic reasons why it is too high. It is to those I desire to call the attention of the Senator and of the Senate.

In the first place, the rate of a 7 per cent return is too high for any public utility anywhere in the United States; it is extortionate; and I will give the Senate the facts on which I base that conclusion. The return on the whole production of the American people, including all their work, all their labor, all their capital, all increases in property values, all depreciation of the dollar, every item that goes into the measure of value in the United States, is only about 5½ per cent a year.

Why should the public-utility industry be singled out by commissions and courts and be given a return far above the average return on all the American capital? It is almost a guaranteed industry; it has been given a valuation that on an average is considerably more than its investment. Then, it has a command of the law, even of the common law, that it shall have a reasonable or adequate return upon that investment. That makes it the most stabilized investment we have next to Government bonds themselves, and yet we find constantly, and going without challenge almost, the suggestion that it shall have a 7 per cent return, when the average return on the whole peoples' capital, labor and all, is only 5½ per cent.

Mr. CARAWAY. Mr. President, will the Senator from Iowa permit me to interrupt him now?

Mr. BROOKHART. I yield to the Senator.

Mr. CARAWAY. Mr. President, if the Senator will examine the charters of the street-car companies in the District he will find that they were required under those charters to sell six tickets for a quarter. There has not been any repeal; there has not been any amendment of those charters. A public utilities commission was created here, which has exercised its ingenuity to raise fares, and I have no doubt that it is not within the power of the courts here to compel them to comply with their charters. They are violating them every day. If I might be permitted to say so, it looks to me like—and I regret to say it, but I wish to say it while the chairman of the committee is present—it looks like when we get a Committee on the District of Columbia it finally ceases to function except in a one-sided way. There is a cry going up, of course, all the time for letting the people back home pay all of the taxes for the District of Columbia, and every demand for a special privilege receives immediate approval.

A long time ago I introduced a bill, for which I never could get any consideration at all, that would have regulated street-car fares here and forced a merger, by requiring the commission to grant a charter to a bus line to run along the lines of the street-railway company that would not comply with its charter. I can not get any consideration for that bill; but there is a demand now for a consolidation and for a 7 per cent return, which is an outrage.

Mr. BROOKHART. I think the 7 per cent claim grows out of a comparison with the earnings of certain other lines of business; but the question I want to ask is why should a commission or a court pick out some particular line of business or some group of business industries that has a high return and then say a utility shall have an equal return? Why should not they consider every line of business and determine the average? If they will do that, it will be found that a reasonable return for a public utility will not much exceed 4 per cent. We talk about the earnings of industries and about great prosperity in the United States at this time and then give the public utilities a return by law through our commissions and our courts equal to the returns under such prosperity; but whose prosperity is it?

I have figures from the Department of Commerce showing that 177,000 corporations in the United States since 1922, more than five years, have operated at the enormous loss of nearly $2,000,000,000 a year. We have prosperity for only a few industries, the public utility is one of those industries by the special favor of the law.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. BROOKHART. I yield.

Mr. CURTIS. I do not want to ask the Senator a question, but I desire to suggest to him that under the rule during the morning hour debate is limited to five minutes.

Mr. BROOKHART. Very well; I shall discontinue my remarks at this time.

ERADICATION OF PINK BOLLWORM

Mr. WARREN. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 223) making an additional appropriation for the eradication or control of the pink bollworm of cotton. I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. ROBINSON of Arkansas. Let the joint resolution be read.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution was read, as follows:

Resolved, etc., That to enable the Secretary of Agriculture to meet an emergency caused by a serious outbreak of the pink bollworm of cotton in western Texas, and to prevent its spread to other parts of Texas and to adjoining States, including the same objects and under the same conditions specified under the heading "Eradication of pink bollworm" in the agricultural appropriation act for the fiscal year 1928, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the additional sum of $200,000, to remain available until June 30, 1929.

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

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

Mr. WARREN. Mr. President, this additional appropriation is called for by the Agricultural Department, whose agents have been on the ground where this scourge is being experienced. The department asks that an appropriation of $200,000 be made; in fact, an appropriation of that sum has already been embodied in the agricultural appropriation bill in the House of Representatives, and this sum may be deducted from the appropriation which is carried in that bill, but it is desired that the amount may be made immediately available. That is all that is embraced in the bill.

Mr. ROBINSON of Arkansas. I understand the situation to which the Senator from Wyoming refers is emergent?

Mr. WARREN. It is very emergent.

Mr. ROBINSON of Arkansas. And it is necessary that prompt action shall be taken in order to prevent the spread of this pest.

Mr. WARREN. It is so considered.

Mr. BRATTON. Mr. President, I have no objection to the consideration of the joint resolution if it will not lead to debate and interfere with the unanimous-consent order for this morning.

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

Mr. SHEPPARD. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a telegram to Representative BUCHANAN, of Texas, from Dr. C. L. Marlatt with reference to the situation. Doctor Marlatt is chairman of the Federal Horticultural Board and is personally investigating conditions in Texas in connection with the pink bollworm.

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

MARFA, TEX., *February 27, 1928.*

J. P. BUCHANAN,

House of Representatives, Washington, D. C.:

Clean-up of gins and regulation of cotton and seed should begin at once in west Texas area. Can the amount which is to be made immediately available be released for use now by joint resolution of Congress? Urgency fully warrants such action.

C. L. MARLATT.

PUEBLO INDIAN LANDS

The VICE PRESIDENT. Morning business is closed. The Chair lays before the Senate, pursuant to the order of yesterday, the amendment of the House of Representatives to the bill (S. 700) authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex., and for other purposes. The question is on agreeing to the amendment proposed by the Senator from Kansas [Mr. CURTIS], which will be stated by the Secretary.

The CHIEF CLERK. On page 3, line 20, after the word "lands," it is proposed to insert "except such part thereof as the Indians shall themselves farm."

Mr. BRATTON. Mr. President, I desire to suggest an amendment to the amendment of the Senator from Kansas. The amendment I suggest is to add to the amendment the words "not to exceed 4,000 acres."

Mr. CURTIS. Mr. President, I am willing to accept that modification. Since the debate of yesterday I have talked with the officials of the Indian Bureau, and they say that 12,000 acres will be all that will be required for many years to come for the use of the Indians.

The VICE PRESIDENT. The question is on the amendment as modified to the amendment of the House.

Mr. LA FOLLETTE. Mr. President, before the amendment is acted upon, I should like to suggest to the Senator from Kansas that there be added to his amendment additional words reading as follows:

But no collection for reimbursement from proceeds of leases of any Indian acres shall exceed in annual amount the payment made annually by white acres of like character toward the amortizing of the share of said white acres in the indebtedness of the Middle Rio Grande conservancy district.

Mr. CURTIS. Mr. President, I have not had an opportunity to study the amendment suggested by the Senator from Wis-

consin, but it seems to me that what it provides would be the attitude of the department in any event.

Mr. LA FOLLETTE. The amendment suggested by me would simply assure the result of the amendment of the Senator from Kansas. As I understand, if he shall incorporate in his amendment the words which have been suggested by the Senator from New Mexico, the result will be to throw a much larger additional burden upon the acres which are not actually farmed by the Indians.

Mr. CURTIS. That is, the 11,000 acres?

Mr. LA FOLLETTE. The purpose of my amendment is to protect those acres in Indian ownership from an excessive rate of collection; in other words, although I do not agree with the justice of loading these additional acres with this larger debt, I believe if protection were incorporated in the bill so that the large additional debt would be paid off over a much longer period of time, that some justice would be secured for the Indians.

Mr. BRATTON. Mr. President, will the Senator from Kansas yield to me?

Mr. CURTIS. I yield.

Mr. BRATTON. I hope the amendment suggested by the Senator from Wisconsin will not prevail. The amendment of the Senator from Kansas in its present form will give the Indians the right not only to farm their present area of 8,346 acres free of debt, free of obligation, and free of reimbursement, but it will give them the right to farm 4,000 additional acres without obligation or reimbursement of any kind from the proceeds of that land. In other words, it will give the Indians the use of 12,000 acres of land plus, susceptible of heavy production, because it would be reclaimed and could be cultivated in an intensive manner.

Mr. LA FOLLETTE. But, Mr. President——

Mr. BRATTON. If the Senator will permit me to complete my statement, I wish to say that all the Government would look to, then, for its reimbursement would be the proceeds of leases upon land that is now practically worthless to the Indians. To say that it would be oppressive can not be sustained by the facts, as I understand them. The amendment suggested by the Senator from Wisconsin, if adopted, not only will jeopardize the passage of the bill but will defeat the legislation as he of necessity must understand. Furthermore, it is a departure from any legislation which I know anything about upon this or kindred subjects.

Mr. LA FOLLETTE. If the amendment which I have suggested to the amendment of the Senator from Kansas is going to be resisted, then I wish to discuss the entire bill upon its merits before the amendment shall be adopted.

Mr. BRATTON. I do not resist the amendment of the Senator from Kansas.

Mr. LA FOLLETTE. I understand that.

Mr. BRATTON. I am willing to accept it in the form in which we have discussed it.

Mr. CURTIS. Mr. President, I yield the floor if the Senator from Wisconsin desires to proceed.

Mr. LA FOLLETTE. Mr. President, I have served for approximately two years upon the Indian Affairs Committee. Senators well realize that to take a position in opposition to that sponsored by a Senator, or, as in this case, the two Senators from a State, is not a pleasant one. Nevertheless, I conceive it to be my duty as a member of the Committee on Indian Affairs to oppose legislation on this floor and in the committee which, after due consideration and such investigation as I am able to make, I feel is not in the interest of the Indians and perpetrates upon them an injustice.

In carrying out the conception of my obligation as a member of that committee I have on numerous occasions opposed the attitude and the position taken by Senators from States in which Indians were concerned in legislation under consideration. So long as I am a member of that committee I shall continue to follow that course.

In my judgment, Mr. President, the action contemplated in this bill, if the House amendment shall prevail, is a breach of faith with the six Pueblo Tribes involved.

If Indians were not concerned in this matter, Mr. President, if the negotiations which led up to the approval of Senate bill 700 as it passed the Senate by interested parties had been made by white citizens, in my judgment this action would not be contemplated, nor would an attempt be made to justify it.

This matter has been in controversy for some time. In 1926 a bill was introduced containing a provision that nothing should be done unless the consent of the Indians was obtained. That bill failed of passage; but the Indian tribes involved, through their duly authorized councils, rejected that bill even with that proposal in it. Then the conservancy district, realizing, I believe, that they could not pass this legislation unless they obtained an indorsement of the Indians involved, concerning the features of Senate bill 700, then proposed to them.

In that connection, Mr. President, I desire to call attention to the action taken by the council representing these tribes which assembled at Santa Domingo pueblo on September 17, 1927. The resolution is as follows:

The council of all the New Mexico pueblos * * * adopts and recommends to the councils of the several pueblos the following:

First. We recognize the importance of the Rio Grande River problem to all of northern New Mexico and to the Pueblos. The Pueblos, no less than their white neighbors, want to see the floods controlled, the water for irrigation increased, and the water-logged lands restored to cultivation.

Second. The council holds itself absolutely uncommitted to any detail of engineering or financing plan, and to any surrender of land for reservoirs or any other conservancy purpose. The council will duly consider the physical and general financing details of any river project when the officers of the Middle Rio Grande conservancy district, and especially the engineers, have completed their study. We are informed that such study has not yet been completed. Subject to the above—

Third. (a) We shall oppose any plan threatening the destruction of any Pueblo village, now or in the future.

(b) If any reimbursable debt be placed on Pueblo lands, we insist that it be no larger than the amount justified by the direct Pueblo benefits.

(c) We insist that our existing improved acreage—

That, Mr. President, refers to the 8,346 acres in controversy in this connection—

or its equivalent in lands newly reclaimed, shall remain free from debt of whatever character and from all charges for water. We are opposed to any plan under which the amount of free water for irrigation, which the Pueblos now use or which may be recovered under the Pueblos lands act, or through the independent suits authorized in that act, shall be diminished.

(d) If any reimbursable debt be placed on Pueblo lands of whatever character we insist that such debt be payable out of a share of the crop yield exclusively from the newly developed lands—

That is, from the 15,000 acres—

but in any case at a rate not exceeding one-fortieth part in any one year.

(e) We insist that any legislation involving the Pueblos in the conservancy project shall contain guaranties against the allotment of our lands.

(f) We are opposed to any condemnation of Pueblo lands for conservancy, and we insist that any land required from the Pueblos shall be agreed to and described in the enabling act.

(g) Because of the many complicated issues involved, we urgently recommend that no effort be made to provide authorization or money involving the Pueblos in the conservancy project in any general appropriation bill or deficiency appropriation bill, but that any legislation sought shall in the first instance be a special act authorizing an appropriation, and shall be considered by the Indian Affairs Committees as well as the Appropriations Committees of Congress.

Mr. President, Senate bill 700 as introduced, as supported by the Department of the Interior and the Indian Office, and as reported from the Committee on Indian Affairs of the Senate unanimously, and as passed by the Senate, contained substantially all of the provisions asked for by these Indians at their formal tribal council meeting; and I think it is of interest to the Senate that on December 1, 1927, Pearce C. Rodey, attorney for the conservancy district, addressed a letter to Hon. Richard H. Hanna, attorney at law, Albuquerque, N. Mex., who represented the Indians and advised them concerning their interests in this conservancy development. Some attempt has been made here to infer that because Judge Hanna was employed at a nominal fee by the American Indian Defense Association in connection with certain other matters he therefore is in some way influenced by the Indian Defense Association in the position which he takes upon the matter now in controversy before the Senate. I have not the honor of the personal acquaintance of Judge Hanna, but I am informed that he is one of the most distinguished members of the bar of the State of New Mexico; and I submit that his statements with regard to this matter are worthy of consideration regardless of whether or not he is employed or under retainer by the American Indian Defense Association in some other matter.

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

The PRESIDING OFFICER (Mr. BLEASE in the chair). Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I shall be glad to yield.

Mr. BRATTON. I am more fortunate than the Senator from Wisconsin in the particular regard he is now discussing. Judge Hanna is an outstanding citizen and one of the ablest lawyers

in the State of New Mexico. His character and his reputation can not be assailed. I do not agree with him in the particular matter we are now discussing; but, that question aside, it is my pleasure to assure the Senate that Judge Hanna is one of the leading citizens of New Mexico, and as good a man as can be found anywhere.

Mr. LA FOLLETTE. I am glad to have the Senator make that statement, because when this matter first came up for consideration and I made some suggestion about the position of Judge Hanna in this matter, the Senator from New Mexico made reference to the fact that he was under retainer by the American Indian Defense Association, and the clear implication of that statement was that this attorney would therefore be influenced in his statements concerning some other proposition. If the Senator from New Mexico did not intend to make that implication in his statement, I am glad to have given him the opportunity to amplify it in the RECORD, because I submit that the language which the Senator used was subject to that inference.

Mr. BRATTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin further yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I do.

Mr. BRATTON. It was not so intended, Mr. President. The Senator from Wisconsin referred to the fact that Judge Hanna was attorney for the Indians, and I replied to the suggestion. "Under the employment of the Indian Defense Society," the secretary of that society being the one that has espoused the opposition to this bill, and has inspired a nation-wide opposition to it to the best of his ability. I expressly acquit Judge Hanna of any improper motives in this or any other matter, but I can not say that for some others in connection with the Indian Defense Society.

Mr. LA FOLLETTE. Mr. President, I do not propose to be drawn into any controversy between Mr. Collier and the Senator from New Mexico. They can settle that controversy between themselves; but I do desire to say that I have come in contact with Mr. Collier during the last few years, I have found him to be reliable, and I have found him to be conscientious in his effort to protect the rights of American Indians.

Mr. BRATTON. Mr. President, if the Senator will yield, I regret exceedingly that I can not share the view of the Senator from Wisconsin with reference to Mr. Collier.

Mr. LA FOLLETTE. The Senator is entitled to any opinion he desires to have in the matter, but I think I have had as long an acquaintance with Mr. Collier as the Senator from New Mexico has had, and I reiterate the statement which I just made concerning him.

On December 1, 1927, Mr. Pearce C. Rodey, the attorney for the conservancy district, addressed a letter to Hon. Richard H. Hanna, and I desire to quote only one paragraph from the letter. He said:

> We have conceded practically all that was ever asked in those resolutions—

Referring to the resolutions adopted by the Indians which I have just read—

> that you sent to me, and have considered all the suggestions that came through you or those you represent. Of course, the Indians have really a gratuity under this bill for the present cultivated acreage; and inasmuch as the lien can not be enforced as to the other lands so long as title thereto is held by the Indians, this gives ample protection against the enforcement of the lien.

On page 31, part 1, of the hearings upon Senate bill 700, as introduced, and which, I think, fully protected the rights of the Indians in this matter, there are set out a number of telegrams addressed to Mr. Collier, signed by the governors of the various pueblos, and also by Sotero Ortiz, president of the council of all the New Mexico pueblos. The import of those telegrams is approval of the bill as introduced, which they were subsequently informed carried out the resolutions adopted by them in 1927. I desire, without reading, to have those telegrams incorporated as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ISLETA, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

To whom this may concern:

On December 1, 1927, a meeting was held at Santo Domingo, N. Mex., of all the river pueblos and formally instructed John Collier, secretary Indian Defense Association, to represent the pueblos in obtaining protection on conservancy matters.

ANTONIO ABEYTA,
Secretary New Mexico All Pueblo Council.

ALBUQUERQUE, N. MEX., *January 19, 1928.*

JOHN COLLIER,
37 Bliss Building, Washington, D. C.:

Be it resolved by the council of all the New Mexico pueblos assembled at Santo Domingo, N. Mex., January 19, 1928, for the consideration of Senate bill No. 700, regarding appropriation by the Government in aid of the Rio Grande conservancy district as it relates to Indian lands, as follows:

First, that we are opposed to any reimbursable debt against the Indians, even as to newly reclaimed lands, considering this a burden too heavy for us to bear; second, that we are strongly in favor of the provisions of said bill for the protection of Indian lands and rights; third, that though doubtful of ultimate benefit to the Pueblo Indians if the costs to be advanced by the Government are charged against the Indians as a reimbursable debt, we are aware of the fact that conservancy legislation affecting Indian lands is likely to be enacted and we renew our expression of faith in and authorization to the American Indian Defense Association and John Collier to represent our interests in that regard, and ask them specifically to support in any proposed legislation, including Senate bill 700, such provisions as said bill contains for the benefit of the Indians, not including any reimbursable debt, and if a reimbursable debt is unavoidable, which we should regret, you are authorized to support said Senate bill 700 in its entirety; fourth, the following pueblos being present and voting unanimously; for this resolution—Taos, Santa Clara, San Juan, Nambe, San Ildefonso, Santo Domingo, Tesuque, San Felipe, Santa Ana, Cohito, Sandia.

COUNCIL OF ALL THE NEW MEXICO PUEBLOS,
By SOTERO ORITZ, *President.*
CLETO TAFOYA, *Secretary.*

ALBUQUERQUE, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.:*

Although not present at Domingo meeting, we have signed resolutions of pueblo council at our own meeting in Salete, and join, with other pueblos, in expressing satisfaction with your work on conservancy bill and in authorizing you to use best judgment in supporting Senate bill 700 in whole or in part.

JOSE PADILLA, *Governor Isleta Pueblo.*

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support, in whole or in part, the pending Rio Grande conservancy bill on behalf of this pueblo.

JUAN ABILA,
Governor Sandia Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support, in whole or in part, the pending Rio Grande conservancy bill on behalf of this pueblo.

LORENZO SANCHEZ,
Governor San Felipe Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support, in whole or in part, the pending Rio Grande conservancy bill on behalf of this pueblo.

TOMASITO TENORIO,
Governor Santo Domingo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.:*

Santa Ana pueblo sends full authority speak for us all hearings Senate bill 700, and send heartfelt thanks for work you have already done.

JOSE REYLEON,
Lieutenant Governor.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support, in whole or in part, the pending Rio Grande conservancy bill on behalf of this pueblo.

AMBROSIO MARTINEZ,
Governor San Juan Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support, in whole or in part, the pending Rio Grande conservancy bill on behalf of this pueblo.

VICTORIANO SISNEROS,
Governor Santa Clara Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support in whole or in part the pending Rio Grande conservancy bill on behalf of this pueblo.

JULIO ABEGATO,
Governor Tesuque Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.*

DEAR MR. COLLIER: You are hereby given full authority to support in whole or in part the pending Rio Grande conservancy bill on behalf of this pueblo.

LOUIS ORTIZ,
Governor Cochiti Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.:*

Advise Senate committee you have full authority—speak for us in all matters relating to conservancy bill. We are all behind you.

LORETO VIGIL,
Governor Nambe Pueblo.

DOMINGO, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.:*

San Ildefonso pueblo sends you its consent to represent it in all hearings on the conservancy bill, S. 700.

ANTILANO MONTOYA, *Governor.*

SANTA FE, N. MEX., *January 19, 1928.*

JOHN COLLIER, *Washington, D. C.:*

Although not affected by conservancy, we were present Domingo meeting and send you full support and appreciation for your work on behalf of pueblos.

TASO PUEBLO,
By MANUEL CORDOVA, *Governor.*

Mr. LA FOLLETTE. Mr. President, I desire to read a telegram dated at Albuquerque, N. Mex., January 20, 1928, appearing on page 33 of the hearings, and signed by Hanna & Wilson, Mr. Wilson being a partner of the Judge Hanna to whom I have just referred. This is addressed to John Collier, and reads:

ALBUQUERQUE, N. MEX., *January 20, 1928.*

JOHN COLLIER, *Washington, D. C.:*

As counsel for each pueblo affected by conservancy district, attended general meeting September 17 where pueblos took definite stand on conservancy, and subsequent meeting December 1, where they renewed position demanding protective measures in conservancy bill and gave you unqualified authority represent them in obtaining such protection. Also attended meeting January 19, where Senate bill 700 read in full Spanish and Indian languages and discussed from all angles. Indians much relieved by protective measures in bill and passed resolution authorizing you speak for them. Indians opposed any reimbursable debt but feel if such debt unavoidable the safeguards contained in bill are absolutely necessary. We have represented this Indian attitude in number of informal meetings local conservancy heads and believe they realize solidity of Indian feeling.

HANNA & WILSON.

Mr. President, following that long controversy, following the indorsement given by these pueblos to this bill, it was reported unanimously from the Senate Committee on Indian Affairs in the form of Senate bill 700. It was passed in the Senate by unanimous consent, it went to the House, there it was amended without explanation given, the House striking out the protective features which the Indians have insisted upon in every step taken in this controversy. It was brought back here in the form of a message from the House of Representatives, and passed without any explanation of the changes which had been made in the House.

It then became necessary to move for reconsideration. The bill was rereferred to the Senate Committee on Indian Affairs, and there, after a hearing, the committee divided very closely, only one majority being secured for the report of the bill to this body in the form in which it now is before us.

It should not be necessary to discuss the merits involved in this question, following the action of repudiation by the House of Representatives in their action in this amendment, and by the Senate committee in reporting this bill, a repudiation of the understanding upon which these Pueblo Indians supported and indorsed the original bill.

I submit it as my judgment that if this proposition had been presented de novo before the Senate Indian Affairs Committee in the form in which it is now before the Senate that committee never would have reported the bill in its present form. If there had been a real investigation into the merits of this controversy, if we had had a full attendance of the committee, in my judgment that committee never would have authorized the report of this bill.

The cry is raised that unless we are willing to accept the House amendment no legislation can be passed at this session of Congress. I do not pretend to be prophet enough to predict as to whether or not that assumption is correct, but until this body has exercised every legislative step to bring justice to these Indians it has not fully discharged its obligation. If we accept the assumption of the Senator from New Mexico that this legislation can not pass without either attempting to amend the House amendment and send it back to the other body, where it will come up on the floor and be discussed on its merits, or else reject the House amendment and demand a conference, we will not have exhausted our legislative remedies and we will not have discharged our full obligation.

Mr. President, the gratuity features in Senate bill 700 as reported from the committee originally were based, in my judgment, upon a recognition of the fact that this 8,346 acres, cultivated since known historical times by these Pueblo Indians, would not receive sufficient benefits under this proposal to justify assessment against them of the large amount of $67.50 an acre, which is proposed in the bill as it now is before us.

I defy any Senator to examine the record of the Senate Indian Affairs Committee upon this measure, or the proceedings before the House Appropriations Committee on it, and find any showing of facts as to the benefits which this 8,346 acres will receive as a result of this bill. As a matter of fact, in so far as those hearings touch upon that question, they show, I think, clearly a recognition of the fact that the Indians are not to receive any such benefit on these 8,346 acres as is provided in this bill.

In that connection I wish to draw attention to the statement which has been previously quoted by Mr. Reed, the engineer in chief for the Indian Bureau on reclamation matters. Appearing before the committee on January 20, 1928, Mr. Reed declared:

> The only relief that the Indians will have, of course, is on the main canal, which will serve not only their lands but the lands below. The distributing system and everything except the main carrying canals will be handled by the Indians.

Further he stated:

> As a physical fact, the Indian system and the white man's system of distribution will be separate except in so far as those lands that have passed from Indian ownership—the lands within the pueblos that have passed from Indian ownership to white men—the title to which is now being worked out by a committee that was appointed for that purpose.

Mr. Reed stated further:

> I do not know of another irrigation system in the United States, and I think I know every one of them, that has physical conditions similar to what we have here. This is a shoe string, with a canal passing down one side. The Indian lands take-out would be project expense. But the moment the water leaves the take-out it is on Indian land, and would not be subject to white use excepting on the lands that I have described as having passed out of Indian ownership.

He stated further, on page 22:

> These Indians have had a system that has served their purpose, perhaps to them satisfactorily, but not scientifically. They still think that they can go on and exist and perhaps prosper under the same conditions. The lands that have become waterlogged have become so not from acts of the Indians but as the result of civilization.

The other day, when the Senator from New Mexico had the floor, I referred to a statement of Mr. Burkholder, the engineer for the conservancy district, in his appearance before the House Appropriations Committee on the Interior Department appropriation bill for 1929. These are the only statements which I have been able to find concerning this question of the controversy over how much the 8,346 acres are to be benefited. The Senator from New Mexico on yesterday maintained that they would receive a benefit amounting to $67.50 per acre, but I submit that he did not furnish to the Senate any definite, detailed statement as to what that benefit would consist of, even though he was pressed to do so by my colleague.

Three of the maps which I have been able to obtain concerning these pueblos make an interesting showing. I am sorry that I have not had an opportunity to prepare them in sufficient size so that they could be used here in the Chamber, because I think a physical picture of exactly the situation that exists there would be of help to the Senate in arriving at a conclusion.

In connection with the statement concerning the 8,346 acres now under cultivation by the Indians, and which have been under cultivation for at least 300 years, I desire to bring to the attention of the Senate a report made by the Pueblo Lands Board, created under authority of the Pueblo lands act of 1924. That board consists of a chairman, appointed by the President of the United States, a member appointed by the Attorney General, and a member appointed to represent the Secretary of the Interior. This report deals with the Santo Domingo pueblo. The board states:

The two main bodies of cultivated Indian lands, a part of this 8,346 acres under discussion, lie in the vicinity of the pueblo west of the Rio Grande and directly opposite the pueblo on the river's right bank. Much of the lands that the Indians irrigate and farm is of the very best quality, rich alluvial soil, with just sufficient mixture of sand to prevent its baking. Some of the land is too sandy. Some of it would be benefited by drainage, but on the whole—

I direct the attention of the Senate to this language—

But on the whole the land they cultivate is better in quality and in much better present condition as to drainage than most of the agricultural lands in the valley between White Rock Canyon and San Marcial, whether Indian or non-Indian. Generally these Indians cultivate their land as well or better than most of the non-Indian landholders in the valley.

One other point from this report:

There is ample water ordinarily for the cultivation of all the Indian and non-Indian land now cultivated within this grant. It is probable that an effective reorganization of all the irrigation and drainage systems of the Middle Rio Grande Valley, which includes this and several other pueblo areas, if accompanied with effective provisions for flood control, will enhance the effectiveness and productivity of the land within the Santo Domingo pueblo already cultivated and also enable the irrigation of some additional land. The Indians themselves, however, if they are to be charged with any appreciable burden of such improvement, could not well stand such burden. It should always be borne in mind that their rights to the water for the irrigation of the lands they have cultivated can not be interfered with.

Mr. President, there is much said in behalf of the bill because it is alleged to confirm the rights of the Indians to water. A little later in my remarks I shall demonstrate that that means absolutely nothing to the Indians. Their rights to the water are absolutely and amply protected and can not be taken from them except by act of Congress.

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

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LA FOLLETTE. I yield.

Mr. COPELAND. As a matter of fact, have not these lands been cultivated by the Indians for many hundreds of years?

Mr. LA FOLLETTE. Much is made of a statement by Mr. Pearce Rodey, attorney for the Rio Grande conservancy district, in which he said, and I think I quote him correctly or substantially correctly at least, that it has been said that 23,000 or 25,000 acres were cultivated in prehistoric times. The Assistant Commissioner of Indian Affairs picked up that statement and reiterated it without support before the Committee on Indian Affairs of the Senate. But so far as history tells us the lands have been cultivated for more than 300 years by these Indians through their own initiative and through their own system of irrigation which they themselves constructed.

Mr. COPELAND. Then there is no doubt about the rights of the Indians to the water powers and the irrigation ditches?

Mr. LA FOLLETTE. There is no question about it. There is in controversy now some land which the Indians claimed had been taken away from them before the year 1910 by the whites, but in so far as their rights to the 8,346 acres and to the water are concerned, there is no question that they are absolutely in full possession of them, and they can not be diminished or set aside except by a plenary act of Congress.

Mr. COPELAND. If the Senator will bear with me a moment, I have not had the pleasure of hearing everything the Senator said. I trust he will address himself at some time to the question of whether the cultivated lands will actually be benefited.

Mr. LA FOLLETTE. I have been addressing myself to that question, and I have given such information as I could find from a perusal of the hearings. I went into that subject before the Senator entered the Chamber. I desire to say, however, and I think perhaps it would be of interest to the Senator from New York, that Dr. W. J. Spillman, of the Department of Agriculture, a recognized agricultural expert and economist, was one of those who formed the committee of investigation of Indian matters which has been working with the Department of the Interior. In connection with that work he made a visit to the Middle Rio Grande district and made a general survey of conditions there. I desire to call the attention of the Senator from New York to his statement as quoted by the senior Senator from North Dakota [Mr. FRAZIER] before the committee. It appears on page 60 of the hearings:

I think that if the original principles involved in the bill—

That is, the bill S. 700 as reported from the committee, and not the bill in its present form—

are not adhered to, it ought not to be passed. Unless the original principles can be adhered to, I would oppose this bill as a vicious piece of legislation. It would mean that the Indians could not possibly pay for it. Anyone with experience in irrigation matters knows that the white man could not pay for it. If they want to put the Indians in a position to redeem themselves and make them civilized, they can never do it in this way, as it is entirely unjust to the Indians.

Mr. COPELAND. Mr. President, if the Senator will yield a moment further, it has seemed to me that the only possible justification for putting such an enormous debt upon the raw lands of the Indians would be a material benefit to the cultivated lands.

Mr. LA FOLLETTE. No such benefit has been shown. Let me recall to the mind of the Senator from New York that when the bill S. 700 was first introduced it had the indorsement of the Bureau of Indian Affairs, Department of the Interior, and was indorsed by the Pueblo Indians themselves after most careful consideration. That bill contained a gratuity feature so far as the 8,346 acres of land were concerned, and it was upon that consideration, and that consideration alone, that the consent of the Indians to the passage of the bill was obtained. Now, we are confronted with a situation where the bill has been fundamentally and radically changed, and yet there is no showing made as to the benefits which would accrue to the 8,346 acres of land except the general statement made by the Senator from New Mexico [Mr. BRATTON] that in his opinion they would be benefited to the extent of $150 per acre.

Mr. COPELAND. Mr. President, will the Senator yield again at that point?

Mr. LA FOLLETTE. I yield.

Mr. COPELAND. As I understand it, there really is added to the mortgage on the raw land about $500,000, which is put there on the theory that a large improvement is made to the cultivated lands.

Mr. LA FOLLETTE. The Senator is correct in that statement.

Mr. COPELAND. That means that there is placed upon the raw lands a mortgage——

Mr. LA FOLLETTE. A debt.

Mr. COPELAND. A debt which, as I view it, could never be met.

Mr. LA FOLLETTE. A debt of $109 an acre.

Mr. COPELAND. In my section of the country if a farm were mortgaged for $109 an acre, it would be lost to the owner; so I take it that these raw lands are practically lost if this great burden is placed upon them. Does the Senator take that same view?

Mr. LA FOLLETTE. I am apprehensive, if the bill passes in its present form, unamended, that so far as the 15,000 acres are concerned they will ultimately pass from Indian ownership.

Mr. COPELAND. Certainly the Indians can never pay the enormous debt which is proposed to be placed upon them.

Mr. LA FOLLETTE. Not granting the justice of burdening these acres to that extent, I believe that the Indians could pay out if they were given a long period in which to do it and ample protection specified in the bill. But under the terms of the bill the Secretary of the Interior will fix the rate at which the Indians are to repay.

Mr. BRATTON. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I am glad to yield.

Mr. BRATTON. I disclaim any intention to interfere with the Senator while he is making his address, but let me remind him and also the Senator from New York of the fact that as long as the Indians own this land the lien is not foreclosable and that the Government can not take more than the proceeds of the leases upon the raw lands. How can the Indians be harmed if the legislation relieves them of what has been characterized as an intolerable condition gradually creeping upon them, which will drive them out of the valley and which will compel them to sever their tribal relations and go elsewhere, a thing that is of supreme importance to them?

Instead of their being confronted in the future with the condition that their land will become water-logged and alkali,

and instead of their little villages being moved, under the terms of the bill their present 8,300 acres will be reclaimed in a modern way. Instead of irrigating it in a crude fashion they will irrigate it and cultivate it in a modern way.

The value of the land will be increased from its present value of approximately $25 an acre to from $150 to $200 per acre. In addition the yield upon that acreage will be increased perhaps fourfold. That is the thing that will occur to the present 8,300 acres, with the added fact that their water rights, which are now uncertain, undetermined, and unadjudicated, will become certain, determined, and adjudicated, and given a priority over any other rights in the district, as well as security against loss by abandonment or nonuse. That is the change that will occur as to the 8,300 acres.

Then as to the 15,000 acres, which is absolutely worthless to the Indians now, it is proposed to take that land and reclaim it at Government expense and make it worth a great deal of money, from $150 to $200 per acre. Under the amendment proposed by the Senator from Kansas [Mr. CURTIS], which I have accepted, the Indians will be entitled to use 4,000 acres without compensating the Government in any wise, so that they will be using the 12,000 acres of irrigated land with a modern system of reclamation. Then the Government takes the proceeds of the leases and applies them to reimbursing the Treasury, and that is all the Government gets as long as the Indians own the land, be it 50 years or 100 years or 200 years.

If any injustice or hardship shall be worked under this bill, it will be upon the Treasury of the United States and not upon the Indians. I desire to put these facts clearly in the RECORD to demonstrate that the argument of the Senator from Wisconsin [Mr. LA FOLLETTE] is based upon a misconception of the situation as it now exists, for he overlooks the fact that these Indians can not continue to live in that valley; they will be driven out, and the whites likewise will suffer the same fate.

Mr. COPELAND. Mr. President, they will be driven out by reason of the water-logging of the land and the alkalinity of the soil?

Mr. BRATTON. They will be driven out, as the Senator suggests, by the water-logging and the alkalinity of the soil. The water line is gradually rising.

The Senator from Wisconsin has stated that nobody has shown how the present acreage will be benefited. I said yesterday, and I want to repeat now—and then I am not going to interrupt the Senator any further——

Mr. LA FOLLETTE. I do not want the Senator to feel under any compunction about interrupting me; I am very glad to have him do so, because he was very kind to me when he was discussing the matter.

Mr. BRATTON. As to the benefit that will be derived by the 8,300 acres, I pointed out yesterday that the Indian Bureau has acted in conjunction with the district for more than a year now in developing this plan. We appropriated $50,000 in order that the Indian Bureau might cooperate with the district and might follow this plan as it was developed. The Indian Bureau has done that through its staff of engineers; its chief engineer is a member of the consulting board; so that the guardian of the Indians has kept in touch with this plan as it has developed. The Bureau of Indian Affairs has stamped its approval upon the project in so far as the improvement of Indian conditions is concerned. It has never departed from the course and never doubted its wisdom.

Moreover, the staff of engineers in the district and the consulting board of the district, composed of some of the most eminent engineers of the country, have stated that it will be an improvement, that it is being developed along proper and conservative lines, and that it should be encouraged.

Mr. President, I repeat that this bill, although different from what was contemplated at the outset, is not unjust to the Indians; it is not harsh upon the Indians. If it were, I would be the last one to stand here and defend it. I believe I know as much about the conditions there as does the Senator from Wisconsin; I believe my colleague [Mr. CUTTING] knows as much about conditions there as does the Senator from Wisconsin; I believe the Representative of New Mexico in the Chamber at the other end of the Capitol knows as much about conditions there as does the Senator from Wisconsin; I believe the governor of the State, who has sent an urgent telegram here indorsing the bill in its present form, and who is familiar with conditions, knows more about the conditions than do those who are opposing the bill.

The opposition to this legislation does not spring from the Indian Bureau; it does not spring from those who represent the State; but it springs from the secretary of the Indian Defense Society.

Mr. LA FOLLETTE. Mr. President, the Senator from New Mexico raises the cry that is always raised here when matters of this kind are in controversy. If through all the history of Indian legislation the arguments and wishes of Senators and Members of the other House representing the States in which Indian lands and Indian property are situated had been accepted by this body, a much blacker record so far as the Indians are concerned would have been written than has been written.

I stated at the outset that it was not a pleasant task for me to rise on the floor and oppose a measure supported by the two Senators from New Mexico, but I am convinced that an injustice is being proposed, that a violation of an agreement or a substantial agreement between the Indian tribes and the conservancy district is about to be committed if this measure shall be enacted into law in its present form.

Mr. President, the Senator from New Mexico thinks that the only lien which can be enforced so long as the Indians own this land is that against the proceeds from the land, but if the entire yearly proceeds shall be taken under the reimbursable feature of the proposed act, as they may be taken, of course the interest of the Indians and their desire to retain ownership in this land will have passed; they would not be tempted to go onto this land to farm it, and then at the end of the year have the proceeds taken from them and turned over under the reimbursable features of this measure. That, Mr. President, is my reason for stating that I am apprehensive if this bill shall pass in its present form that ultimately the 15,000 acres or a large portion of that acreage will pass from Indian ownership into the ownership of the whites.

Much has been said on the floor about the diminution of Indian lands and it has been charged that that was due through the years to the encroachment of water upon those lands. As a matter of fact, I think I shall be able to show that the encroachment and resulting lessening of Indian lands occurred between about 1870 and 1910.

Mr. President, in my judgment, such loss of land as the Indians have sustained during their occupancy has been largely due not to water-logging but to the encroachment of the whites upon Indian property. That has resulted in a controversy. Finally Congress enacted the Pueblo lands act in 1924 in order to settle that controversy and to establish procedure whereby the controversy between the Indians and those whites who, the Indians claimed, had encroached upon their lands could be adjudicated. I call attention to the fact that the adjudications with regard to the Santo Domingo pueblo, which, by the way, is within this conservancy district, have just been completed. There were contested about 641.8 acres, to which the Pueblos held title but which were occupied by the whites. Of that area, 550.71 acres were decreed to the whites and 91.9 acres to the Indians. That is an example, Mr. President, of how some, at least, of this loss of acreage on the part of the Indians has taken place.

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

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. Will the Senator from Utah permit me to complete the statement?

Mr. KING. Certainly.

Mr. LA FOLLETTE. I desire to direct the attention of the Senate to certain figures, which I take from hearings, concerning the question of the diminishing Indian acreage. I direct attention to the statement on page 350 of the hearings of 1923 on House bill 13452 of that session of Congress. The Assistant Commissioner of Indian Affairs furnished a table showing the Indian acres which the six tribes located in this conservancy district had under cultivation. According to his figures, the area was 4,841 acres. In 1927, according to the statement made on page 360 of the hearings before the House Appropriations Committee, there were 7,513 acres, which, I think, demonstrates the fact that these Indians have not been losing their land as a result of water-logging to any great extent. Doctor Spillman informed me that these Indians as a result of experience through all the years had selected their lands on the higher areas and expressed the opinion that if there was any danger from water-logging it was the result of the advance of civilization and not of faulty irrigation on the part of the Indians.

Mr. CUTTING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. CUTTING. I did not hear the Senator when he began his last statement. From whom did he get that information?

Mr. LA FOLLETTE. I obtained the information from Dr. W. J. Spillman, of the Department of Agriculture, a recognized authority on agricultural problems and an economist of note, who visited this area in connection with the investigation which he was making for the Department of the Interior.

Mr. CUTTING. May I ask the Senator whether Doctor Spillman is an authority on the history of New Mexico?

Mr. LA FOLLETTE. Mr. President, I did not ask the doctor about that; but I assume, as he is a scientific man, that he made a careful and impartial investigation.

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

Mr. LA FOLLETTE. I yield.

Mr. FRAZIER. I should like to say, in regard to that, that for a number of years Doctor Spillman has made a special study of irrigation projects under the Department of Agriculture all over the country; and I think he is probably as well posted on irrigation projects as anyone connected with the Agricultural Department.

Mr. CUTTING. It was merely the historical statement that I questioned.

Mr. LA FOLLETTE. Mr. President, it is asserted here over and over again that if this project goes through, these 8,346 acres will be benefited fourfold. I submit that the fact which is in the record that 3,500 Indians are now living on this area, and therefore that each 2½ acres supports an Indian, is sufficient contravention of the suppositious statement that the benefit to these 8,346 acres will be fourfold in character.

Also, Mr. President, it is reiterated over and over again, as a justification for what is being done in this bill with regard to the 8,346 acres, that the value of this land is to be enormously enhanced. The Senator from New Mexico talks about figures of $150 to $200 an acre. I do not know why he stops at $200. Why did he not go on? In that connection, however, I want to submit for the attention of the Senate and for the RECORD a statement contained in a publication entitled "Department of the Interior, United States Reclamation Service, in cooperation with the State of New Mexico. Reports and recommendations for the reclamation of the Middle Rio Grande Valley of New Mexico, 1924." Vernon L. Sullivan was the consulting engineer. Here is what he has to say concerning valuation:

> Present valley land valuations under existing uncertain conditions are about $100 for first-class irrigated land; $50 per acre for second-class irrigated land; $17.50 for alkali and salt grass land; $12.50 for swamp or submerged land; $17 for timberland; and river-bed areas, nothing.
>
> These lands, when drained, the alkali content is easily removed by leaching or irrigating, and when properly reclaimed their valuations would average far above $100 per acre over and above any reclamation costs that might be necessary to provide funds for the reclamation of the valley.

I also desire to read briefly from a table appearing on page 14 of that report, in which he says:

> Before reclamation—
>
> In figuring up the total valuations—
>
> First-class acres at $100 per acre.
>
> After reclamation—

I assume he refers to first-class acres—

> $100 per acre.

Mr. President, it is admitted that under the terms of this bill as now drawn the 15,000 acres to be newly reclaimed will bear a reimbursable debt of $109 per acre. Senators in this Chamber who come from regions of the country where irrigation projects are in progress know better than I do that that is an excessive charge per acre to lay against any reclamation project. As stated by Doctor Spillman, a white farmer could not carry that load, let alone an Indian farmer.

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

Mr. LA FOLLETTE. I yield to the Senator from Utah.

Mr. KING. I ask for information. If the amendment of the Senator from Kansas [Mr. CURTIS] is accepted, which withdraws 4,000 acres from the 15,000 and renders it immune from payment, would not the burden placed upon the residue be much greater than $109 an acre?

Mr. LA FOLLETTE. I have not figured it out for the 4,000 acres; but on the suggestion that there should be 5,000 acres withdrawn, which was made yesterday on the floor, I figured out that the 10,000 acres would bear a burden of approximately $163.44 per acre.

It is not any defense to say that this lien can not be foreclosed, when it is provided that the proceeds from the leases are to be taken to pay this debt. Assuming that 5,000 acres of this newly reclaimed area were given to the Indians for farming purposes, and the other 10,000 acres were to bear a debt of $163.44 per acre from proceeds of leases, does any Senator contend that any Indian would continue to own that land or make an effort to farm it? He might just as well be a peon, because every cent of the proceeds from that land could be taken, under the terms of this bill, for the reimbursement of the charges which are made against the other lands. It comes down to a simple proposition—that in exchange for this area which the Indians are to be given, 10,000 acres, improved and irrigated, will ultimately pass into white ownership.

Mr. BRATTON. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Wisconsin yield to the Senator from New Mexico?

Mr. LA FOLLETTE. I yield.

Mr. BRATTON. The point the Senator has just made, in regard to the 4,000 acres——

Mr. LA FOLLETTE. I said "5,000 acres," Mr. President, because I had not made the calculation for 4,000.

Mr. BRATTON. Leaving 10,000 acres to be leased, and the proceeds of the leases to be applied to reimburse the Treasury—with that in mind, the Senator has just made the statement that the remaining 10,000 acres would bear a debt of $163 per acre, and about that he complains.

Mr. LA FOLLETTE. Does the Senator controvert that?

Mr. BRATTON. I want to call the Senator's attention to the fact that his position is to advocate that the Indians not only have a gratuity for the 8,300 acres, but that they must have a gratuity for 12,000 acres, because he waves that aside and complains that the debt is upon the remaining land. He overlooks the fact that the Government is reclaiming 12,000 acres of land and enhancing its value and improving the conditions, as I have endeavored to point out. He waves that aside as though that were not to be considered, and confines his view of the bill to the remaining 10,000 acres of land, and complains because the debt upon it is too heavy, forgetting that the Indians will be using the 12,000 acres in the manner I have indicated.

The pending bill amounts to this, and the Senator can not controvert this, that the total cost of reclaiming the Indian lands shall not exceed $67.50 per acre, and that the total cost of reclaiming white-owned lands is $77 per acre.

Mr. LA FOLLETTE. Seventy-six dollars and twelve cents, is it not?

Mr. BRATTON. Approximately $77, I think. It has been stated as $77. The Indian cost shall never exceed $67.50 per acre; but in figuring the reimbursement the cost is laid against the raw land that is now worthless to the Indians. The Senator can not continue to say, and I am sure he will not continue to say, that the cost is $109 an acre and $163 an acre, when, under the bill, it is not to exceed $67.50 per acre—a remarkably low figure.

Mr. LA FOLLETTE. I shall continue to make that statement, Mr. President, because my contention is that there is no justification for the claim that $67.50 per acre of benefits is to flow to these 8,346 acres of land; and I have argued here in vain if I have not impressed those Senators who gave me their attention on that point.

What this really comes down to is that the proponents of this measure, having been checked in their efforts to secure this bill with the gratuity feature in it covering these 8,346 acres, now contend that a benefit of $67.50 per acre will accrue to these 8,346 acres, because otherwise there would not be a vestige of an argument to justify the passage of this bill in its altered form, and altered, as I have pointed out, after the consent of the Indians had been formally given to its passage with the gratuity feature in it.

In that connection, Mr. President, I want to read a telegram from Sotero Ortiz, who for five and a half years has been president of the council of all the Pueblos involved in this matter. It was addressed to Mr. Collier under date of February 10:

> We Pueblos never would have indorsed the conservancy bill unless we were promised freedom from reimbursable debt in all matters connected with our existing improved lands, because it is a betrayal of faith and ruin to us Pueblos if the reimbursable debt, $1,500,000, placd on newly reclaimed acreage.

Under date of February 12, 1928, Judge R. H. Hanna wired the senior Senator from New Mexico [Mr. BRATTON] as follows:

> Do not feel authorized to waive reservations made by all Pueblo council, and am requesting Collier to take up discussion of these matters with you. Conservancy district, through Robey, in letter to me dated December 1—

Which I have already quoted—

> referring to resolution, says we have conceded practically all that was in the resolution, and also the Indians have really a gratuity under this bill for the present cultivated areas.

I also desire to read into the RECORD in part a telegram addressed to Mr. Collier from Mrs. Mary Austin. She is the

author of numerous books. One of them, The Land of Journey's Ending, is a standard historical and geographical treatise on the history of the Spanish occupation of the Southwest. She is also the author of The Land of Little Rain. I read in part from Mrs. Austin's telegram of February 23:

Urge all friends of Indians to oppose Senate bill 700 until amended to do justice to the Pueblo Indians of Middle Rio Grande Valley. From beginning Indians, through their representatives, sought cooperation and reasonable adjustment. Sudden alteration of bill without consulting Indians' representatives suggests premeditated betrayal, which will be resented by all honest citizens of State as a blot on its good name and an unnecessary destruction of valuable, economic, and cultural asset.

Mr. President, there is one other fact in connection with this situation that I want to draw to the attention of the Senate. In 1926 Mr. Pearce Rodey, attorney for the conservancy district, addressed a letter to Mr. John Collier concerning the cost at which they then thought they could reclaim these Indian acres. He said:

Of course, if it is found that only 15,000 or 20,000 acres of Indian lands can be properly reclaimed, then an appropriation of $600,000 or $800,000 would be sufficient. The chief engineer—

That is, Mr. Burkholder—

says that if it will help the bill at this time it might be wise to cut the appropriation to authorize, say, $700,000.

The attorney for this conservancy district and the engineer in 1926 estimated, respectively, that they could reclaim this Indian land for $35 or $40 per acre. Now, we find that this enormous increase is asked, and I reiterate that there is no showing in the record, either before the Senate Indian Affairs Committee or before the House Appropriations Committee, which justifies the assumption that these 8,346 acres are going to get any such benefit as is claimed by the Senator from New Mexico.

In connection with this debate, Mr. President, much has been made of the fact that the Assistant Commissioner of Indian Affairs, Mr. Meritt, has switched his position and given indorsement to the bill as it is now before the Senate. The Senator from New Mexico directed my attention particularly to Mr. Meritt's statement, which appears on pages 54 and 55 of part 2 of the Senate committee hearings. Mr. Meritt said:

First. The bill before the committee permits an agreement to be entered into between the Secretary of the Interior and officials of the district, and we propose to put in that agreement every provision that is possible for the protection of the Indians.

In answer to that, Mr. President, I submit that the Indian Bureau is indorsing this bill in its present form, and hence the statement of the Assistant Commissioner of Indian Affairs means nothing.

Mr. Meritt continued:

Second. Only lands susceptible of economic irrigation and cultivation within the Indian pueblos can be included under this bill, and the Secretary of the Interior is to determine what lands shall be included, and what lands he shall construe as susceptible of economic irrigation and cultivation. Therefore the district officials can not include any Indian lands within that district that are not subject to economic irrigation and cultivation.

In answer to that suggestion, I think it is clear that its only import is that new lands can not be included, to be paid for by the Government and the district, unless in the Interior Department's judgment they can be drained or irrigated. I see no protection in that statement for the 8,346 acres which form, in my judgment, the principal contention in connection with this bill.

Mr. Meritt said further:

Third. The cost of the improvements to this land is limited to $67.50 per acre over the entire 23,000 acres; $67.50 is not an excessive cost for irrigation.

Mr. President, in answer to that, I desire again to call attention to the statement made by Mr. Rodey, the attorney for the district, and by Mr. Burkholder, the engineer, in 1926, that this land could be reclaimed for approximately $35 to $40 per acre.

Mr. Meritt said:

Fourth. Another benefit the Indians will receive is the provision in the bill that the entire amount, 8,346 acres, has a guaranteed water right. That is a great protection to those Indians. Under the present conditions the Indians have no guaranteed water right on the 8,000 acres. There is no treaty provision with the Pueblo Indians that guarantees them any protection in their water rights. Therefore those Indians will not get the benefit of the decision of the Supreme Court in the Winters case, and for that reason it is a great protection for the Pueblo Indians to have this provision in the bill, and that is one of the provisions we insisted should go into the bill, after visiting the irrigation project.

Fifth. The water rights of the 15,000 acres are recognized in this bill, and they are protected in this bill. That is for the new land. The water rights, old as well as new, shall not be subject to loss because of nonuse or abandonment as long as title shall remain in Indians, pueblos, or individuals. That is another very great protection to the Indians of these pueblos.

Mr. President, it is my information that the laws of the State of New Mexico, including the statutes of limitation and laws of adverse possession, have no effect on Pueblo land grants, which are in no manner subject to the laws of the State of New Mexico. Whatever water rights the newly reclaimed Indian acres possess can not be taken away by any future operation of the New Mexico State laws. No new water rights are given to those acres by the pending bill.

There was at one time a question as to whether the New Mexico Territorial statutes of limitation and adverse possession applied to Pueblo grants, but when New Mexico became a State it renounced all sovereignty over those grants, and since 1912 no State laws have been operative on or affecting the Pueblo land grants.

In other words, Mr. President, the reference to water rights in this bill adds nothing to the water rights which the Indians now have and as to which they are secure in their possession unless they should be taken from them by a plenary act of Congress. The statutes of New Mexico can not apply to this question of water rights.

If there is any necessity to give citations for the contention which I have made, I refer to the enabling act for New Mexico, passed in 1910, and the New Mexico State constitution adopted in 1912. I wish to direct the attention of the Senate to the fact that the constitutionality of the provision to which I have referred was settled by the Supreme Court in 1914 in the so-called Sandoval case.

The sixth of Mr. Meritt's alleged benefits to the Indians under this bill is as follows:

Sixth. The 8,346 acres shall not be subject by the district to any pro rata share of any future operation and maintenance or betterment work performed by the district.

That is another very great protection to those Indians. In all future years they will not be called upon to pay any operation and maintenance cost for the irrigation of lands within the pueblos now protected, which amounts to 8,346 acres.

Mr. President, that is merely a statement of the fact that the Indians can keep what they already have.

Mr. Meritt said next:

Seventh. The reimbursement shall be made out of rentals of newly reclaimed lands. In other words, the Indians occupying the 8,346 acres will not be called upon to pay out of the proceeds from their cultivated lands any of the reimbursable charges for the improvements. The reimbursable charges will be taken out of the rentals of the newly reclaimed lands.

That, of course, is a reiteration of the argument made by the Senator from New Mexico, and which I have endeavored to-day to controvert, namely, that these 8,346 acres will not receive the substantial benefit which it is claimed by the Senator from New Mexico they will receive, and which is the only justification upon which this bill in its present terms could possibly be supported in this body.

Mr. Meritt said, eighth:

There will be no lien upon the 8,346 acres for improvements or betterments.

That, Mr. President, falls in the same category as his statement No. 7. He said, ninth:

Ninth. Liens on the newly reclaimed land shall not be enforced during the period that the title shall remain in pueblos or in individual Indian ownership.

That is another protection to the Indians, because in ordinary legislation that provision does not obtain.

Mr. President, I submit, in response to that contention, the fact that the reimbursement is to come from the lands while in Indian ownership from the proceeds of leases; that is, from the agricultural yield of the land.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 46.

Mr. CURTIS. I understand that the Senator from Nebraska, who is in charge of the unfinished business, is unable to proceed with it this afternoon. I therefore ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BRATTON. I ask unanimous consent that the Senate may continue the consideration of Senate bill 700.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and the Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, in the second place, in response to the ninth item which the Assistant Commissioner of Indian Affairs lists as one of the reasons for supporting the bill, I should like to say that no lien, so far as I know, has ever been enforced against Indian lands under debt to the extent of alienating the ownership of the land from the Indians, and no steps could be taken under existing law.

The *reimbursable* liens generally are exactly like the land lien in the present bill, and repayment comes from sale of the land after the death of the Indian owner or from the proceeds of oil, timber, and so forth. In other words, it seems to me that the ninth argument the assistant commissioner advances, like some of the others, means nothing.

His next reason is as follows:

> The department shall be recognized in all matters pertaining to the operation of the district in the ratio that the Indian lands bear to the total acreage of lands within the district. We will have a voice in the management of that conservancy district, and we can at any time have absolute control of conditions within the pueblos involved in this conservancy district.

The Assistant Commissioner of Indian Affairs favors the bill in the form in which it is now presented to the Senate, and I for one find little consolation in so far as the Indians are concerned in that statement.

Eleventh, said Mr. Meritt:

> Indian lands are not taxable as long as held by Indians. Under the terms of this bill they will not be required to pay any taxes as long as they own the lands, and they are in Indian ownership, either individual or tribal.

There is nothing in the bill about taxation. The lands do not pay any taxes now any more than any other lands held in trust for the Indians are paying taxes. So that statement means nothing.

> Twelfth. Indians are not required to pay any interest on moneys advanced by the Government. Under the terms of this bill they will not be required to pay interest for the loan of this money, even if it is not returned to the Government within 100 years.

So far as I know, no reimbursable loans to any Indians have ever been required to pay interest to the Government, and so, of course, in so far as this defense in support of the bill is concerned, it falls to the ground.

> Thirteenth. The Indians will get a very great benefit by reason of flood protection under the terms of this bill. That land is subject to flood, and property there has been destroyed because of floods, but under the terms of this bill the Indians will get the benefit of flood protection.

The statement made by Mr. Meritt concerning flood protection to these Indians is not supported in the hearing. No showing was ever made as to any considerable damage the Indians have ever suffered as the result of floods. Of course, the Indians at any time of high water occasionally have their ditches washed out, but they are repaired and have been repaired for 300 years by the Indians themselves on the ditches or laterals. So that to say that now they are in a position where they have to have immediate flood control and relief is absurd. As a matter of fact, I am informed that in 1921, a year of high water, when the town of Pueblo was flooded, none of the Indian land in controversy was damaged by flood. A few low main river bridges were washed out, but in so far as the contention is advanced that the Indians are in immediate need of flood control the statement of the commissioner is not supported by the facts. Certainly it is not supported by any showing in the record.

Let me say in passing that there are interests in New Mexico that do want flood control, but they are not the Indians. The urban centers in New Mexico are very anxious for flood control and flood prevention, which may result from the bill. It is not the Indians who are asking for flood control. It is the urban communities of New Mexico which are interested. When they could not get this gratuity of half a million dollars or more against the 8,346 acres of land they were so anxious for flood control—and I refer to the white urban centers in New Mexico—that they now take the position that it is perfectly justifiable to charge the Indians with the debt in order that they may get it at once.

Let me repeat what I said at the outset, that this body of the Congress will not have discharged its obligation in this matter, in view of the controversy which has arisen, until it has exhausted every legislative step which can properly be taken in the matter. I say that it has not exhausted those legislative steps merely because an amendment is put on a bill in the House and we are then informed that the legislation can not pass. It is argued that we must accept the House amendment without either amending the House text and thus sending back to the floor of the House where it would come up on its merits, or else rejecting the House amendment and asking for a conference with the House. In my judgment, it is absurd for Senators to say that until we have taken those steps and find ourselves in absolute and utter disagreement with the House, such legislation can not be enacted.

Now to go on with Mr. Meritt's alleged arguments in favor of the bill:

> Fourteenth. I want to emphasize that the Indians will also receive a very much increased value for their property by reason of the terms of this bill. It will cost the Government $67.50 to irrigate this land, but the Indians will have property, after it is irrigated, estimated to be worth anywhere from $150 to $200 an acre.

I have already submitted the statement, particularly that made by Mr. Vernon Sullivan, the consulting engineer, that land in this valley will be worth approximately $100 an acre, and, at the outside, $150 an acre, even after all the work that is contemplated in the bill shall have been undertaken.

> Fifteenth. The Indians, under the terms of this bill, will not be required to pay any of the irrigation charges so far as the 8,356 acres are concerned out of their products, but the white lessees will pay practically all of the reimbursable charges that are enforced under the terms of this bill.

Mr. President, upon what theory could the Assistant Commissioner of Indian Affairs make that statement? The only theory, as I see it, upon which he could have made that statement is that some of this land is going to pass into white ownership; because, so far as the terms of this bill are concerned, the white lessees will not pay one cent of the reimbursable debt on the Indian lands. They will pay a rental as high, and no higher, than the rental they would have to pay on the 80,000 acres of land owned by the whites that are to be reclaimed. This bill provides that the reimbursement shall come from the proceeds of leases. That means that it will come from the moneys received by the Indian owners of land from the leases, and as I have previously pointed out, if these newly reclaimed acres shall be shouldered with this enormous burden there will be no motive for the Indians to retain their ownership, because all of their proceeds may be taken under the reimbursable provisions of the bill. So much for the argument made by this alleged guardian of these Indians on behalf of this indefensible bill.

Mr. President, the issue raised here is an important issue. It comes up again and again in legislation where the whites have interests and the Indians have interests which are in conflict. I had believed that during recent years the attitude of Congress had changed; that there was a recognition of the long line of injustices which have been perpetrated against the Indians by legislation through the years of the history of this Government. It had seemed to me that the attitude, especially of this body, had changed; that we had reached a point where a majority of the Senate would look upon these questions in conflict between the Indians and the whites with an impartial eye, would weigh all the evidence, and come to a just determination; but it seems, Mr. President, that perhaps that is not to be the case in so far as this bill is concerned.

Much work has been done on both sides of this Chamber to line up Senators for the bill. That has been accomplished by ex parte statements. Perhaps the votes have been gathered in to "put across" this injustice to the 3,500 Pueblo Indians—peaceful, civilized Indians—who over the years of written history have never waged warfare against the United States. They are a simple, agricultural folk. Under the laws of New Mexico they are disfranchised. They can make no protest at the ballot box for what may be done here in their name.

Mr. President, if this can be done, if such an injustice may be perpetrated in the name of the Indians, then this Chamber has about-faced, and we must prepare to wage continued battles against the encroachment of the white interests upon the interests of the Indians, as was the case when my illustrious father came to this Chamber in 1906. Single-handed and alone he fought time after time against legislation which contained contemplated injustices against the Indians. As a result of that contest which he waged here year in and year out, I think he impressed his point of view with regard to

the Indians upon the Members of this body. But now we are confronted with a situation where an agreement with these Indian tribes is about to be violated without their consent, a committee of this Chamber, by a majority vote of one, having been induced to report out this breaching of that understanding.

Mr. President, we are now told that the votes have been gathered in to perpetrate and consummate this injustice. If that be true, and if the roll call shall demonstrate that fact, then in a few years we shall be called upon to pass remedial legislation to undo this injustice which is contemplated with regard to these Indians.

Now let me say a few words with regard to the amendment which I have offered to the amendment which has been proposed by the senior Senator from Kansas [Mr. CURTIS]. The proviso on page 3 of the House amendment reads:

Provided, That such reimbursement shall be made only from proceeds of leases from the newly reclaimed Pueblo lands. * * *

At that point in the proviso the amendment the Senator from Kansas proposes to add the words:

except such part thereof as the Indians shall themselves farm.

The Senator from Kansas has accepted an amendment offered by the Senator from New Mexico [Mr. BRATTON], adding the words at the end of his amendment, "not to exceed 4,000 acres." So not more than 4,000 acres of this newly reclaimed land will be subject to the exemption.

My amendment provides:

but no collection for reimbursement from proceeds of leases of any Indian acres shall exceed in annual amount the payment made annually by white acres of like character toward the amortizing of the share of said white acres in the indebtedness of the Middle Rio Grande conservancy district.

The purpose of the amendment which I have offered—I have only offered it because in the extremity of the situation it appears that perhaps it is all we may obtain—is to permit the Indian owners to repay out of the 11,000 acres which they may have under lease no more rapidly than the white owners of land of like character shall pay. The result of the pending legislation, if enacted, will be to burden the 11,000 acres with an enormous debt, but if my amendment shall prevail it will permit the repayment of that debt over such a long period of years that it will protect the Indians against an exorbitant rate of collection.

I had hoped that we could reach a compromise upon this question, but the Senator from New Mexico has served notice that he will resist my amendment. I desire once more to say that I would not have offered the amendment except for the fact that the Senator from Kansas has offered his amendment. In my judgment, this bill should have been amended in such manner as to conform in general terms with the provisions of Senate bill 700 when it was reported unanimously from the committee and unanimously passed the Senate.

I hope, Mr. President, that the amendment which I have offered to the amendment of the Senator from Kansas may prevail.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment proposed by the Senator from Kansas [Mr. CURTIS].

Mr. FRAZIER. Mr. President, it seems almost useless to discuss this measure further. There are only a few Senators on the floor, and apparently those who are not here have made up their minds on the question; at least, that would seem to be the case. There is a great deal of interest being taken in the measure, however; and, of course, the record which is made may be of some value in future cases that may arise concerning the Indians.

The Senator from Wisconsin has gone into the question very fully, and has, I think, given a very fair interpretation of the whole measure. One statement that he made near the close of his remarks rather interested me and that was that the Indians of New Mexico could not vote under the constitution of that State.

Mr. CUTTING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. FRAZIER. I yield.

Mr. CUTTING. I will say for the information of the Senator that the statement made by the Senator from Wisconsin to which he has just referred is not entirely correct. The Pueblo Indians of New Mexico have the same rights which they had under the Mexican Government and which were guaranteed to them by the treaty of Guadalupe Hidalgo and by the enabling act, namely, that they may vote if they pay taxes. That is the legal status of the Indians of New Mexico to-day.

Mr. FRAZIER. In other words, if the Indians of New Mexico do not pay taxes they can not vote; and, of course, the Indians who are on these allotments or reservations under the protection of the Government do not pay taxes, and therefore do not vote.

It seems to be the attitude of some people that the Indians do not amount to much; that they have no rights to be considered. They have been crowded back out of the way to make way for civilization, and some people in the past and some people still seem to feel that the Indians should be further crowded out of the way to give the best of their lands to the white people, who might cultivate them and make better use of them, in a way, than the Indians are making.

In the past, treaties have been made with the Indians by the United States Government. In many instances those treaties have unquestionably been violated. There have been times in the history of Indian legislation when, after treaties have been made solemnly pledging the Government of the United States to carry out the provisions of those treaties with the Indians, Members of one House or the other of Congress would introduce a measure which seemed to be in violation of the treaty. The Members would state that they knew the case; they knew what the situation was; they knew what was needed. They may have been perfectly sincere in their statements; but many times those bills have been forced through both Houses of Congress and have proved afterwards to be violations of the treaty that had been made with the Indians; and many cases are now pending in the courts, especially in the Court of Claims, growing out of the apparent violations of treaties.

In every session of the Congress since I have been here the Indians and their representatives have come before the Indian Affairs Committee and asked for the privilege of going into the Court of Claims to establish claims against the United States Government for violation of treaties, and many of those requests have been granted; and there are many cases now pending in the Court of Claims of the United States to test out the violation or the claimed violation of those treaties.

Two or three years ago I was on a subcommittee of the Indian Affairs Committee that went to Minnesota to investigate Chippewa Indian affairs in that State. Some of those Indians, it is true, spoke through interpreters, but, nevertheless, they seemed to be mighty well informed and to know what they were talking about. Those Indians told what their treaties had been and how they had been violated, some of them violated by act of Congress here, by measures put through Congress by Representatives from the State of Minnesota, to the detriment of those Indians. The result of the investigation was that the committee recommended the passage of a measure to give the Chippewa Indians of Minnesota the right to go before the Court of Claims and establish their claims there against the Government of the United States. The bill was passed in the Senate. It went over to the House and was referred to the Committee on Indian Affairs over there. That committee changed the measure considerably, and it came back here amended so that the attorneys for the Chippewa Indians claimed that it would be useless. It was referred back to the Committee on Indian Affairs here, and we put up a fight, and the bill was put back in its original form, and finally passed; and the Chippewa Indians, through their attorneys, have cases filed in the Court of Claims to establish their rights.

I might go on almost indefinitely and cite cases where the Indians have been defrauded.

Since I have been in Congress a Member of the Senate from one of the Southwestern States introduced a bill here, and it was indorsed by the Indian Bureau, too, as I recall. It was found that that bill, if passed, would wipe out the rights of a lot of Indians in that State; it would wipe out the title to their lands. Of course, that Senator said that he knew all about the situation, because he was there, and represented those Indians, and he had been over the ground, and knew all about it. The bill was finally defeated, or at least that part of it, and it was amended so as to make it quite a fair bill, I understand; but I mention that to show you that sometimes even the representatives of the State which proposed legislation is to affect, either through misinformation or something else, have not known what the situation is.

Last spring it was my privilege to visit some of the Southwestern States of this country and to visit several Indian reservations there. I went across a bridge out in one of those Western States for which the Congress appropriated some $300,000, and made it a reimbursable charge to the Indians. It was on the Pima Reservation. It was a very fine bridge. It originally had electric lights on it. It was out about 15 miles from any town, as I recall, but on a public highway; and, of course, a bridge was needed there for this highway between two of the large cities of that State; and the bridge was very finely

equipped. There had been electric-light fixtures on it, and all that. They had been taken off, but it was evident that there had been electric-light fixtures there. That bridge is near the end of the reservation. The Indians, in going to the town where they do their trading have a fording place that they use almost all the year around, as I understand; but at times the water is too high, and perhaps they come around on the bridge. But the main use of the bridge was for the white tourists and white settlers who travel there, and not for the Indians, and yet its cost was made a reimbursable charge against the Indians.

On the Pima Reservation, which is the home of one of the so-called peace tribes of Indians, there were old irrigation ditches, or what seemed to be irrigation ditches, that those Indians had used years and years ago. In fact, in some places there were trees a foot or more in diameter growing in those old ditches that the Indians had used. Back as far as the Civil War time the Indians of the Pima Reservation produced a lot of wheat and furnished it to the United States Government, which needed it at that time, and they did it through the irrigating project on their own land. You may ask why the Pima Indians are not using those irrigation ditches now. I will tell you—because a Government irrigation project was put through up above them on the river, and the water was all taken for the white settlers, and the Indians were left without any water to irrigate their lands; and so they are dry farming now, except in the few places where they can get water from deep wells to irrigate.

It is claimed that the Coolidge Dam, which is now under construction out there, will take care of those Indians. I hope it will, but there is a little doubt in my mind yet whether they will be taken care of under the proposed project.

There are many instances of that kind. Why, I recall, since I have been a Member of the Senate, that a bill was passed through the House in regard to the Indians out in one of the Southwestern States. It came here, and a Member of the Senate from that State reported the measure from the Indian Affairs Committee for passage here; and when it was explained to him what the bill really meant, he got up here on the floor of the Senate and fought that bill to the last ditch.

The bill now under discussion is not a new proposition at all. It has been under consideration for several years, and I can not understand why there is all this rush about getting it through at this time. It is said that if we do not agree to the present amendment of the House the bill will fail to pass, and it will be a great detriment to the Indians and to the whites down there in New Mexico. The Indians have lived there for some 300 years that we know of, and in all probability they lived there for hundreds of years before the white people knew anything about them, and the chances are that they could continue to live there for a long time to come even if this project should not go through.

Back in the last Congress, on April 19, 1926, a bill was introduced in both the House and the Senate for practically the same measure. An interesting thing, however, is that that bill only asked for an appropriation of $1,200,000 for the Indian lands; and it was stated that the work could be done for even less than that if necessary. Engineers who had made two surveys of that project stated that the work could be done for even less than the $1,200,000—probably for seven or eight hundred thousand dollars if necessary. Then the present bill was introduced in both the House and the Senate at the beginning of this session. The original bill, as it was introduced at this session, authorized an appropriation of $1,752,000 plus. Then there was a conference between the engineers and the representatives of the conservancy district of New Mexico and the Indian Bureau, and the authorized appropriation was cut down to $1,593,000; and that is the way it now stands. It seems just a little strange that there is such a difference in the amount of the appropriations that have been asked for.

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

Mr. FRAZIER. I am glad to yield.

Mr. BRATTON. I do not want to interrupt the Senator, but I do not want him, without knowledge of the facts, to leave the Senate under a misapprehension of the facts.

The figures stated in the bill introduced in April, 1926, were made nearly two years ago, before the survey of this project had advanced practically at all, and before the engineers had any comprehensive data comparable with the data they have today. That accounts for the variance between the figures in that bill and the figures in the bill to-day.

As to the figure in the bill we are now discussing being reduced from $1,700,000 plus to $1,593,000 plus in the figure originally found in the bill 10 per cent was allowed for contingencies—a thing that is very common in construction of this and other kindred kinds. In discussing the matter with the bureau and before the committees it was decided to remove the allowance of 10 per cent for contingencies, and fix the exact figure they agreed upon as the maximum cost. That was done.

I think the Senator and the Senate should know those facts.

Mr. FRAZIER. I recall that 10 per cent proposition; but at the time the bill was introduced in 1926 it was stated before the Indian Affairs Committees of both the House and the Senate that two surveys had been made up to that date.

Mr. BRATTON. Upon that, if the Senator will suffer another interruption, those surveys were not made by engineers of the district; and if the Senator is laboring under that belief he is mistaken. One of those surveys was made in 1923, as I now recall, by a man named Gault, an engineer in the Bureau of Reclamation. He did not represent the Bureau of Indian Affairs. He did not make a survey of this particular area, but he made one of the entire Rio Grande Valley. In the following year an engineer of El Paso, Tex., named Sullivan, made another survey of the Rio Grande Valley. Neither of those surveys was confined to the area embraced within this bill, and neither of those engineers had in mind the project we are now considering.

Mr. FRAZIER. On February 19, 1927, Representative MORROW, of New Mexico, made a statement, which is to be found in the CONGRESSIONAL RECORD on page 4246, in which he stated that—

> The engineers estimate that under the project the cost for irrigation and drainage, not including storage, is about $35 per acre.

There seems to be lots of difference of opinion in regard to the cost of this irrigating project, and judging from the history of irrigating projects, they generally cost a lot more than the estimates.

Mr. BRATTON. Mr. President, will the Senator suffer a further interruption?

Mr. FRAZIER. Certainly.

Mr. BRATTON. The Senator recalls that there is a letter in the record, over the signature of Doctor Mead, which states that the average cost of reclamation during the last five years has been about $90 per acre. When that fact is taken into account, coupled with the conclusion reached by the consulting engineers from several States, the engineers for the bureau, and the engineers for the district, how can the Senator assert that the cost here is excessive, in the face of the combined judgment of all engineers who have dealt with the proposition?

Mr. FRAZIER. Mr. President, I was only quoting engineers, and figures that have been given, and the only assertion I will make in regard to the excessive cost included in this bill is in regard to the amount of Indian land that is now under cultivation, and has been for years and years, the 8,346 acres. There was nothing in the hearings, so far as I can recall, to show that it would cost $67.50 an acre on that 8,346 acres to put it in shape for this project.

Mr. BRATTON. Mr. President, will the Senator permit another interruption?

Mr. FRAZIER. Certainly.

Mr. BRATTON. The difficulty in which the Senator finds himself is his utter unfamiliarity with the facts. If this land is reclaimed, the present antiquated system of ditches will be utterly disregarded. The district would not use those ditches in any sense. That land would be reclaimed as raw land would be, because the system which the Indians have now is worthless, and could not be used in giving that land a modern system of irrigation. So that, so far as the cost of construction is concerned, that land might as well be raw land as to be in the shape in which it is now.

Mr. FRAZIER. It has been said in the hearings that the Indians were going to do all the work except on one main ditch.

Mr. BRATTON. That relates to maintenance, not construction. It relates solely to maintenance, when the water is turned out of the canal onto the Indian lands.

Mr. FRAZIER. As I understand it, this particular land of the Indians is a little differently situated from a great many irrigating projects, and practically all that is needed is just one main ditch, and the water will be let out in laterals and will be easily taken care of and easily provided for.

Mr. BRATTON. In response to that the Senator stated a while ago that he made a trip through the Southwest last year. Let me ask him if he went on this project then, or at any other time?

Mr. FRAZIER. No; I have never been to this project.

Mr. BRATTON. The difficulty under which the Senator is laboring is his utter unfamiliarity with conditions. I have endeavored as best I could to help him overcome that handicap.

Mr. FRAZIER. I appreciate the endeavor of the Senator from New Mexico.

I want to go on now with a little history of this bill. Senate bill 700 was introduced in the Senate and a similar bill was introduced in the House. Before they were acted upon by the committees, amendments were suggested. Those amendments were agreed upon at conferences participated in by practically all concerned. I have telegrams here to show that the Indians had agreed to the provisions of the original bill. Apparently it had been difficult to get the Indian council of Pueblos down on this land to agree to the bill that was wanted. But the proponents of the project finally got them to agree to the bill as it was amended and finally referred to the committees in each House.

After a hearing before the committee in each House the bills were reported out and went to the calendars. The Senate committee bill passed the Senate and went over to the House. When the House bill was reported from the committee and was reached on the floor of the House the Representatives from New Mexico, as I recall, moved to substitute the Senate measure for the House bill, and that was done. Then a member of the Committee on Appropriations of the House rose and made a motion to strike out everything after the enacting clause and to insert a substitute measure. The substituted measure was similar to the original, but with two or three very vital changes, and those vital changes absolutely violated the agreement and the promises that were made to the Indians in order to get them to indorse the measure.

The Senator from New Mexico nor anyone else will dare stand up here on the floor of the Senate and deny that statement.

If the time has come when we are going to disregard the promises we make to the Indians, if we are going to treat them as children, or worse than children, and as not entitled to any consideration, then let us agree to this House amendment. If we are going to live up to our promises, let us keep those promises, and insist on the original bill as referred out by both committees and passed by the Senate.

The Indians down there were told that there would be no charge against the 8,346 acres which they have cultivated for hundreds of years. It is said that in prehistoric times they cultivated 25,000 acres down in that valley. Perhaps they did; but since white men have lived in that country, since we have had a history of the country, 3,500 Indians have lived on that land and apparently have gotten along pretty well. One of the engineers has said that this land is their bread and butter, and everyone concedes that they have made a fairly good job of the work on that land.

The Senator from New Mexico says that if this new project should go through it would undoubtedly increase the fertility of that soil fourfold. Perhaps it might; but after that land has been farmed for centuries it is pretty hard to make me believe that a little additional water put on the land would increase the fertility fourfold.

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

Mr. FRAZIER. I yield.

Mr. KING. The fact of the matter is that those Indians do not require additional water. They have a priority. They were the first settlers. Their rights were antecedent to all other rights. They have no desire for additional water supplies. There is more water than the original settlers require. So that no claim can be made, with any validity, that this measure would increase the water supply for that 8,346 acres, because, as stated, that land requires no additional water rights.

Mr. FRAZIER. Further than that, Mr. President, these Indians have not only been cultivating this land for hundreds of years, but if there is any water-logging it is due. as has been stated in the hearings several times by engineers and representatives from that section of the country who know the situation, to civilization and not to anything the Indians have done. As long as the Indians are wards of the Government, it seems to me, in view of the fact that they have cultivated that land for hundreds of years and made their living there, that if any change is to be made, the expense should be borne by the Government and not charged up to those Indians. That was what the original bill, as introduced here and passed by the Senate, provided.

Mr. President, the Senator from Wisconsin has introduced a number of telegrams and statements from people who are interested in this matter, representatives of the Indians and others who are very much interested and feel that an injustice will be done to the Indians if the House amendment shall be agreed to. I have here a telegram that was sent to the junior Senator from Maryland [Mr. TYDINGS], which states:

BALTIMORE, MD., *February 28, 1928.*

Senator MILLARD F. TYDINGS,

United States Senate, Washington, D. C.:

Large group Baltimore women, including heads of several large women's organizations, in meeting assembled with Fortnightly Club strongly urge that Senate bill No. 700 be so amended as to fully protect interests of Pueblo Indians, and that you, as our representative, advise the Senate of our wishes in this matter.

ANNA N. KAY, *Secretary.*

I also have a telegram addressed to Senator WALSH from Santa Fe, N. Mex., which states:

SANTA FE, N. MEX., *February 17, 1928.*

Senator WALSH,

Senate Office Building, Washington, D. C.:

We insist upon our objection to the Cramton amendments to conservancy bill, S. 700, and believe they would be dangerous to the future welfare of the Pueblo Indians, and we indorse S. 700 as originally reported out of committee and passed by the Senate for the reason that it definitely safeguards the interest of the Indians.

EXECUTIVE COMMITTEE NEW MEXICO
ASSOCIATION ON INDIAN AFFAIRS,
MARGARET MCKITTRICK, *Chairman.*

Mr. President, I could read many other statements of that kind, but I do not know that it is necessary, so much has been said and so many telegrams have been inserted in the RECORD already.

These 8,346 acres which have been under cultivation all these years by the Indians, and off which they have made their living, it seems are right in line where the water for this project will have to come in order to furnish water for this land and the rest of the project. It is a fact that one of the engineers stated that the present irrigating project of the Indians was not worth one cent to this conservancy project, and that may be true. Nevertheless, the present system is worth a lot to the Indians, because they have made a living off that land for centuries.

There is a very grave doubt in my mind as to whether or not this proposed project will increase the value of the Indian land to any material extent; that is, I believe it would not cost the project the $67.50 an acre that is to be charged up against the Indian land.

Of course, under the Cramton amendment the 8,346 acres would be exempted from this reimbursable charge, but it is placed on the balance of the land, the other 15,000 acres, making a total charge against the 15,000 acres of something like $109 per acre, which is, of course, a higher charge than is made against the white land, and it seems to me it is absolutely unfair.

More than that, it would mean, I believe, confiscation of that land ultimately. There is something in our Constitution which says that property may not be taken away from our citizens without due process of law, but the Indians apparently are not considered in that connection.

Mr. KING. And with just compensation.

Mr. FRAZIER. Yes; and with just compensation, but the Indians obviously are not considered as coming under the Constitution of the United States. It would seem so at least, not only in this case but in hundreds of other cases in the treatment of Indians in this great Nation of ours.

The amendment which the Senator from Kansas [Mr. CURTIS] has offered would be of some help. Undoubtedly it would be of some help, because it would allow the Indians to take 4,000 acres of what would be reclaimed land under the provisions of the bill and farm it. That would be of some assistance, undoubtedly. In the hearings the other day the Assistant Commissioner of Indian Affairs, Mr. Meritt, stated that even with all of the $1,500,000 plus made reimbursable against the 15,000 acres of Indian lands under the Cramton amendment, it would still be of benefit to the Indians. Perhaps it would be of benefit to them. It would be of benefit to the Indians if we would add on another $500,000, but it would be violating the promises that have been made to the Indians, and it would be unfair.

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

Mr. FRAZIER. Certainly.

Mr. FESS. It has been reported to me that the proponents of the bill are not averse to the Curtis amendment and the opponents of the bill are not averse to it. Why not act upon the Curtis amendment and pass the bill?

Mr. FRAZIER. The information that has come to the Senator is hardly correct.

Mr. FESS. Then I beg the Senator's pardon for the suggestion.

Mr. FRAZIER. I just made the statement that it would be of only slightly more benefit than the Cramton amendment.

Mr. FESS. But it would not be satisfactory?

Mr. FRAZIER. It would not be satisfactory to the Indians or their representatives, the people who are here representing them, and, according to the word we get from their council itself, it would not be satisfactory to the Indians.

Mr. FESS. Then I was misinformed. I had understood the Curtis amendment would adjust the difficulty.

Mr. FRAZIER. No; there is nothing to that effect, so far as I know, and I have been receiving telegrams and statements from the Indians. The Indians themselves, through their council, authorized Mr. Collier to represent them, and while there was some difference of opinion as to the way he is representing them, yet I believe he is doing his utmost to be sincere and to represent them as they would like to be represented.

The other day, in the hearings before the committee on the House bill as amended, the Assistant Commissioner of Indian Affairs, Mr. Meritt, made the statement that this would be of some benefit to the Indians, even with an additional $1,500,000 plus placed against the land. Perhaps it would be of some benefit to them to have an improved irrigating project. Nevertheless the Indians are getting along pretty well, and they are not satisfied apparently with the suggested improvement, unless their 8,346 acres shall be taken care of without any expense to the Indian lands.

Of course, as to the reimbursable part of it, it is said that the Indians will never pay; but there have been instances where lands allotted to Indians had a reimbursable charge against them, and when the Indians died the land was sold to pay the reimbursable debt. Undoubtedly what has occurred in the past will occur in the future. I think the proposition for the total amount of the appropriation of $67.50 per acre for the total number of acres, including the 8,346 acres that has been under cultivation and irrigation all these years, is absolutely unfair to the Indians.

The Curtis amendment would be of some benefit, undoubtedly, or would be some improvement over the way the House amended the bill; but even with the amendment which the Senator from Kansas offered, the bill is still unfair to the Indians and violates the promises that have been made to them and, in my estimation, for that very reason should not be passed.

As I said, if we are going to take the attitude of disregarding the promises we have made to the Indians and disregarding our understandings and even treaties with them, then let us go ahead and enact legislation without consulting the Indians; but after we have gone to all the trouble of spending two or three years' time apparently in getting the Indians to consent to a bill to take care of the irrigation project in the Rio Grande Valley, after we have gone to the trouble of holding hearings in both Houses and having the hearings printed, taking the time of the Members of both Houses hour after hour, it seems to me a little inconsistent to disregard now the promises made to those Indians and to enact such legislation as is proposed by the House amendment.

Mr. HAYDEN. Mr. President, with respect to the promises made to the Pueblo Indians to which the Senator from North Dakota has just referred, I may say that at the time the promises were made there was no one present authorized to speak for Congress. In other words, it is perfectly feasible for certain gentlemen interested in developing a conservancy district in New Mexico, and certain Indians whose lands are to be a part of that district, to agree that the Indians shall receive a gratuity appropriation of half a million dollars. All the interested parties in New Mexico may have agreed that they would endeavor to induce Congress to make a gratuity appropriation to that extent, but the Congress alone can make the appropriation. Congress never made any promise to the Pueblo Indians, and no one with authority to speak for Congress ever made any promise to the Pueblo Indians that a bill would be passed granting a gratuity appropriation to that extent.

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

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from North Dakota?

Mr. HAYDEN. I yield.

Mr. FRAZIER. That may be true. Nevertheless, according to telegrams which have been read into the RECORD and of which I have copies on my desk, the Indians were consulted, and their attorney, Mr. Hanna, and their representative, Mr. John Collier, were consulted. Hearings were held before their council and they agreed, apparently, to the provisions proposed. Mr. Rodey, the attorney for the conservancy project, wired to them saying that the provisions they asked for were agreed to. Hearings were held by the committee of the Senate and an agreement was reached by that committee. The bill was voted out and passed by the Senate. Hearings were held in the House and the bill was reported out there and went to the calendar of the House. Then amendments were made by the House, violating the promises made to the Indians and which had been considered by committees in both Houses, without a word of explanation on the floor of the Senate or the floor of the House before those changes were agreed to.

Mr. HAYDEN. Nevertheless no one had authority to speak for Congress. The only way Congress can speak is by the final enactment of the bill. We can only judge the future by the past. We can only judge this legislation by other legislation which has heretofore been enacted. I can say, and I speak advisedly because I served for more than 15 years on the Committee on Indian Affairs in the House of Representatives, that at no time in the past 15 years has Congress enacted any law granting a gratuity appropriation for the construction of Indian irrigation work of any consequence, and at no time to the extent of $500,000.

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

Mr. HAYDEN. Certainly.

Mr. KING. I accede to what the able Senator from Arizona said, that no one perhaps is authorized to speak for Congress. Undoubtedly the Indians, if not their attorneys, and I think their attorneys had the impression—I am sure the Indians had—that the Indian Bureau was authorized to speak for the General Government and that any promise or representation made by the Indian Bureau would receive validation at the hands of the Congress.

Mr. HAYDEN. The Senator from Utah, I am sure, would not permit a bureau to speak for Congress?

Mr. KING. I grant that we do not permit, at least we ought not to permit, bureaus to speak for us. I think we permit executive officials and bureaus to speak too much for Congress, and we are afraid to legislate until we get their approval upon proposed legislation. But conceding that there was no one there who might speak for Congress and that no one did speak for Congress, if the Indians made a proposition predicated upon the assumption that only $1,000,000 was to be reimbursable and they assented to the Rio Grande conservancy project upon the hypothesis that $1,000,000 only was to be reimbursable and the residue was to be a gratuity, and if they were mistaken because the Congress would refuse to accept their view, then obviously if we are to proceed upon the theory of contractual relations, they entered into a tentative agreement upon a wrong hypothesis. The minds of the parties have not met and fairness would seem to require that we halt any further proceedings until the Indians have further opportunity to investigate the matter and determine whether they would be willing to accept a contract or a proposition the basis of which is that the entire amount shall be reimbursable out of the Indian funds.

Mr. HAYDEN. I want to point out to the Senate that the only general statute there is relating to the subject of Indian irrigation projects requires that the Federal Government shall be fully reimbursed for all such expenditures. That law appears in section 386 of the United States Code. It is the act of February 14, 1920, and reads as follows:

> The Secretary of the Interior is authorized and directed to require the owners of irrigable lands, under any irrigation system constructed for the benefit of Indians and to which water for irrigation purposes can be delivered, to begin partial reimbursement of construction charges, where reimbursement is required by law, at such times and in such amounts as he may deem best, all payments hereunder to be credited on a per-acre basis in favor of land in behalf of which such payments shall have been made and to be deducted from the total per-acre charge assessed against such land.

There is another section of the code which relates to operation and maintenance charges that likewise directs that wherever possible the Federal Government shall be reimbursed. In other words, no one can find any authority of law anywhere for the appropriation of money for the construction of an Indian irrigation project unless the sums appropriated are made reimbursable.

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

Mr. HAYDEN. I yield.

Mr. FRAZIER. We can find some precedents, though, those things on which attorneys like to base their arguments so much. The senior Senator from Montana [Mr. WALSH] made the statement the other day, in discussing some measure from his State involving the Flathead Indian power proposition, that there was an irrigating project for the Indians, as I recall, with some $200,000 or more expended, where the money was a direct appropriation and not reimbursable.

Mr. HAYDEN. That may be true in the Northwest, where the Indians know very little about irrigation and where they were never even farmers but lived as hunters until the white man came. In the Southwest there are two tribes of Indians, the Pueblos on the Rio Grande in New Mexico, and the Pimas on the Gila River in Arizona, who have been irrigating their lands from time immemorial. Take the Pima Indians of Arizona, who can only make a living by the cultivation of their lands by irrigation. What has been required of the Pimas? In all instances the irrigation appropriations made for their

benefit have been made reimbursable; a charge has been made against the Pima Indians for the full amount of the expenditures made by the United States. But in all cases there has been done what it is proposed to do in this bill. The lien or charge upon their land is not to be enforced and they shall not lose title to it so long as the land remains in Indian ownership.

The practical effect is that charge is made on the books of the Treasury Department for any sum expended for the irrigation of Indian lands. The collection of that expenditure depends entirely upon the progress made by the Indians. There is no time limit in this bill nor in any similar bill which provides that upon a certain day the Indian shall pay a certain amount and that if he does not pay that amount he shall lose his land. That would be wholly unfair and unjust because the Indian can not be expected to have the same ability to meet his obligations as a white farmer.

Mr. FRAZIER. There was a time limit put on the original bill and that was stricken out by the Cramton amendment to the bill, but this bill has a new feature that has never, so far as I know, been included in any other Indian irrigation project; that is, to reimburse the expenditure out of the proceeds of the leases of the land.

Mr. BRATTON. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from New Mexico?

Mr. HAYDEN. I yield to my friend from New Mexico.

Mr. BRATTON. The Senator will recall as to that feature that the Indian Bureau and the Indian Defense Society were in accord and urged that very provision in the bill, and no objection was raised to it until the measure came back here from the House of Representatives.

Mr. FRAZIER. No objection was raised, because of the gratuity appropriation to take care of the 8,346 acres.

Mr. BRATTON. Yes; and the whole question all gets back to that. It turns not upon whether repayment shall be made from the proceeds of leases, but upon whether the appropriation shall be a gratuity or reimbursable; that is the whole question.

Mr. FRAZIER. That makes a lot of difference. The Indians agreed to a bill with this $500,000 gratuity appropriation; they have not agreed to anything else.

Mr. HAYDEN. Mr. President, I have before me the laws affecting the irrigation of Indian lands in Arizona; and if any Senator is interested I shall be glad to read their text with respect to the question of repayment. All of these laws provide for full reimbursement to the United States just as this bill so provides. The pending measure, therefore, follows the precedents now well established that there shall be a charge against the Indians for any money expended in their behalf for irrigation purposes, payable when? Whenever the Indians can afford to pay it. That is all that it amounts to. The time and manner of collection is left entirely in the hands of the Secretary of the Interior under such rules and regulations as he may prescribe. That is the provision in the laws relating to the Pima Reservation under the San Carlos project, and that is the provision here. At no time in all the years I have been a Member of Congress have I found Congress or the Bureau of Indian Affairs unwilling to listen with sympathy to pleas in behalf of the Indians, nor has any tribe of Indians ever been compelled to make reimbursable payments which could not be justified.

Mr. FRAZIER. Mr. President, if the Senator will yield to me, I desire to state that I recall some ten or twelve million dollars of reimbursable charges against the Indians have been collected by the Treasury Department throughout the United States in past years.

Mr. HAYDEN. That is a very fine showing and justifies the faith which Congress has in the Indians. It is entirely proper that such collections should be made. Congress is getting away from the old idea that the Indian should be furnished with something for nothing. We can not make good citizens of them on that basis. Under the old system of rounding up Indians on reservations, giving them rations, furnishing them with gratuities, the Federal authorities bred in them not a desire to work but a desire to loaf; not a desire to improve themselves as other citizens do, but a desire to obtain what they could from the Government for nothing. That is a wrong policy. Congress should not give any able-bodied person anything without effort on his part, whether he be a white man or an Indian.

Mr. FRAZIER. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

Mr. FRAZIER. I wonder if the Senator would want to take the other horn of the dilemma and say that we should not take Indian property away from them for nothing?

The Indians of the Southwest especially have been crowded back into the desert; in many instances the best land, the only land that it would seem to me any human being could live on, has been taken by white people and the Indians crowded back. Then when the white man needs bridges in order to travel over the country they are built and the charge is made reimbursable against the Indians. That is fair, is it?

Mr. HAYDEN. Can the Senator tell the Senate where in the Southwest any land which they were occupying has been taken away from the Indians? I ask the Senator to name the place and the Indian tribe.

Mr. FRAZIER. Oh, my goodness——

Mr. HAYDEN. Will the Senator be kind enough to do that? I have lived in the Southwest all of my life, and I know of no such instance. In the State of Arizona to-day over 20,000,000 acres of land are reserved for Indians—some of the very best land in the State. No Indian has been driven off any land that he was actually farming in Arizona or New Mexico. The Senator can not point to the place nor the tribe nor the time.

Mr. FRAZIER. I visited several Indian reservations in Arizona, and if the land I saw there is the best land there is in Arizona I pity the rest of it.

Mr. HAYDEN. But the Senator has not answered my question. Will he name the tribe of Indians from whom land has been taken or designate the tract of land or the time when it was taken? I am anxious to know.

Mr. FRAZIER. We have passed several bills at this session, so-called department bills, recommended by the Bureau of Indian Affairs, making provision concerning lands out there belonging to the Indians that would have been taken away from them if it had not been for the legislation which we passed.

Mr. HAYDEN. The only legislation to which the Senator can possibly refer is a bill affecting certain lands granted to a railroad company. The lands were embraced in alternate sections which were granted to promote the construction of a transcontinental railroad many years ago. Congress has provided that if Indians are actually residing on any of the alternate sections the railroad company may select an equal area of other lands in the same State. That is the only legislation to which the Senator might have reference. No Indian has been driven off his land. The Senator has made the very broad assertion that Indians in the Southwest have been robbed of their lands. I insist that no such a thing has taken place and that he can not point to the tribe nor the land nor the time when Indians were robbed of any area that belonged to them.

Mr. FRAZIER. I am sorry that I have not the information for the Senator at this time, but, as I understand, the reservations there have been narrowed several times and the Indians have been crowded back, if you please—that is what I call it—and I do not see how the Senator can controvert that statement. The size of the reservations has been reduced time after time and probably will be reduced further.

Mr. HAYDEN. Upon the contrary, the size of the reservations in the Southwest has been increased time after time.

Mr. FRAZIER. That may be true in certain instances.

Mr. HAYDEN. If the Senator will examine the record he will find that much more land has been added to the reservations in Arizona than has ever been taken away from them.

Mr. FRAZIER. On what does the Senator base the size of the reservations in the first place? The Indians owned all of that territory a few years ago?

Mr. HAYDEN. The Indians had a right to roam over it and kill game upon it. Mere occupancy is not ownership. More land than the Indians ever actually used has been reserved for them and they now have the full benefit of it. The Senator can not justify his statement by the facts in any record.

Mr. President, it is the duty of Congress to do justice to the Indians because of the peculiar position which they occupy as wards of the Government. Here is a proposal in the interest of a great community, extending up and down the Rio Grande, of which the Pueblo Indians are a part. That community can not expand, it can not prosper unless the Indians who live in it do their share in order to develop it. It is very easy when any development of this kind is proposed, just as it is in the case of a drainage district or an irrigation district, for some individual to say, "My particular tract of land is so situated that this general improvement will not benefit me to the extent that it would somebody else, therefore I will not take part in the common effort." That is a narrow, selfish view to take. The only way that a community can prosper is for all of its members to unite and carry forward the work of development. That is what has to be done in this case. The white men and the Indians must combine if either is to advance.

What is proposed in this instance? I might illustrate it in this way: Suppose I were the owner of two tracts of land, one which I was cultivating in an inefficient manner and another tract which was waste. In this instance about 23,000 acres are involved and, with the amendment offered by the Senator from Kansas [Mr. CURTIS], the Indians are to use about 12,000 acres and the other half is to be reclaimed from a waste and an unprofitable condition. Suppose that some philanthropist were to come to me or a kind and paternal government, as is the case in this instance, and say, "I will improve the land on which you are now living, make it more profitable for you to cultivate it, give you a better water supply. I will likewise improve the waste tract for you, and I will take all of my reimbursement from the waste land and not from the cultivated land"; that would be a parallel case to the one now before us. In this instance no Pueblo Indian will ever be required to go down into his pocket and pay anything from any income that he may derive from his land toward the repayment of irrigation and drainage works which will be constructed for his benefit. There is nothing in this bill which can be construed to mean that any Pueblo Indian at any time will be required to pay one cent toward reimbursing the United States. The reimbursement will come entirely from the rental of the excess lands which are now waste and useless.

Mr. FRAZIER. If in that case and in other cases under the reimbursable provisions of which the Senator speaks, the Government is never going to collect anything, what is the use of making the expenditure reimbursable? Why not make it a gratuity? That is what it amounts to.

Mr. HAYDEN. Under the plan proposed in this bill the United States can be fully reimbursed, just as all the expenditures made to obtain water for the Pima Indians in Arizona will be reimbursed, but the United States is not going to be reimbursed in the sense that the Indian has to pay a certain amount on a certain day or lose his land. The Federal Government in course of time will get its money back for this expenditure from income derived from the now waste lands. Therefore the whole amount expended in behalf of the Pueblo Indians for this development is placed upon the books of the Treasury as a charge against them. But the Indians themselves are never to be required to pay a cent out of their own income. All reimbursement is to come from the proceeds of the rentals of excess lands. What injustice can possibly be done to the Indians? Land which is now waste and worthless, from which they can gain no income, is to be developed by a generous Government, which will furnish the money without interest and take its chances, however many years may elapse, of getting its money back.

It seems to me that under such circumstances the Congress ought to do what is best for the community as a whole, when it is clearly demonstrated that no Indian at any time will be in any manner injured. For that reason I shall support the bill. I shall support it because I believe that whenever an occasion of this kind arises, we should realize that Congress can not be guided solely by the wishes of the Indians or take the word of some group of friends of the Indians or the word of some people who are organizing a conservancy district, as in this instance. We must do what is best for all concerned, including the Federal Government, and if we satisfy ourselves that no Indian can at any time either lose any of his land or be required to pay any of his own money, then certainly there is no possibility that any injustice can be done to any Indian. Therefore the House amendment should be agreed to and the bill should be passed.

Mr. CUTTING. Mr. President, I should like to have the privilege of having read from the desk two telegrams I have received, one from the Governor of New Mexico, and one from the chairman of Indian welfare of the New Mexico Federation of Women's Clubs.

The VICE PRESIDENT. Without objection, the telegrams will be read.

The legislative clerk read as follows:

ALBUQUERQUE, N. MEX., *February 9, 1928.*

Senator BRONSON M. CUTTING,

Senate Building, Washington, D. C.:

This refers to Senate bill 700 as amended by House, which has received Senate concurrence. Our people are not concerned as to reimbursable features of bill, but we are vitally interested in enactment of legislation proposed, and personally I feel that bill as amended and passed by Senate is best possible for all concerned. Will appreciate any assistance you can lend toward sustaining concurrence.

R. C. DILLON, *Governor.*

Mr. FRAZIER. Mr. President, will the Senator yield right at that point? That statement seems to me rather peculiar, inasmuch as the governor states that "our people are not concerned in the reimbursable features." Perhaps it is because the Indians down there do not vote.

The legislative clerk read as follows:

NEW YORK, N. Y., *February 19, 1928.*

Senator BRONSON CUTTING,

United States Senate, Washington, D. C.:

As chairman of Indian welfare of the New Mexico Federation of Women's Clubs representing over 3,000 club women I urge passage of House bill 700, no matter whether with or without reimbursement. I disapprove of Collier's attitude in the matter.

Mrs. MAX NORDHANS.

Mr. CUTTING. Mr. President, I do not intend to take very much of the time of the Senate. The opponents of this bill have spoken for about three hours this afternoon, and obviously it would take an equal length of time to refute their arguments in detail. I think the Senator from Arizona [Mr. HAYDEN] has given a very clear idea of the fallacy that underlies all their arguments; namely, the fallacy that Indians in the Southwest have been treated in anything like the same manner as the Indians in the rest of the country.

The intimation has been made, both by the Senator from North Dakota and by the Senator from Wisconsin, that probably my colleague and I are not cognizant of conditions in the State; that the Member of Congress on the other side of the Capitol is not cognizant of those conditions; that the governor of the State is not cognizant of them; and that the innumerable citizens of New Mexico who feel that this measure must be passed to benefit both whites and Indians do not understand the conditions.

I do not think any of us pretend to be engineers. We have laid before the committees, and incidentally before the Senate, the report of the engineers who examined the project, and we believe that they all sustain us. The Senate has also been presented with the opinion of the Indian Bureau. It may be that the gentlemen who are speaking against us have better information about our conditions; but there is one kind of information they do not have, and that is the general background and the history which underlies this particular legislation.

The Rio Grande Valley, as I think Senators understand, is a very peculiar part of the United States. The district which we are considering is a district 150 miles long, and most of it is about 1 mile wide. There are a few broader tracts, constituting what may be called oases in the middle of this desert. These oases were settled on in prehistoric times by these tribes of Pueblo Indians, six of them in the area that is now in question. Naturally, those tribes of Indians picked the best land they could find along the river. Those Indians are living in exactly the same area, with the same lands, with the same architecture and buildings that they were living in when Europeans first came out there, and that means a very long period of historical record.

The first European to visit the country was Cabeza de Vaca, who walked from the coast of Florida to the city of Mexico by way of New Mexico in 1528. We have his records. We have the records of the Coronado expedition, which practically started the white settlement in New Mexico. The date of that was 1540. From that time to this those Pueblos have remained in possession of the lands which they possessed originally. As I think the Senator from Arizona said, that condition does not apply in any part of the United States except the Southwest.

The sixteenth century is generally considered a cruel century, and we hear of the Spanish conquerors, and perhaps some of us who were born in this part of the country think they were a cruel set of men. The fact remains that they treated the Indians better than anybody else has treated them who came from Europe in the early days. They came out nearly a century before the Pilgrim Fathers; and yet what has happened to the Indians in the East? Where are the Hurons, or the Iroquois, or the Pequots, or the Narragansetts? Even in later times the Chippewas and the Menominees, and such Indians in the Northwest, have been segregated, as I understand, and placed on reservations.

We are dealing here with an entirely different situation. These are Indians who never wandered, who have always been in exactly the settlements they are in now.

It is true that in the seventeenth century there was a great outburst of anti-Christian sentiment. The Pueblo Tribes rose up, massacred the Franciscan missionaries, and drove the Spaniards out of the territory for 12 years. After the Spaniards came back they did not retaliate in any way. They conquered the Indians, but they did not dispossess them or drive them out of their lands. They took none of their privileges away from them. They settled on what land remained after the really first-class land had been left in Indian possession. That statement applies after the territory we are speaking of passed under Mexican

sovereignty; their possession was guaranteed when the United States, under the treaty of Guadalupe Hidalgo, took over the territory. The same guaranties were preserved in the enabling act and in the constitution of New Mexico.

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

Mr. CUTTING. I yield.

Mr. KING. I think the Senator should state that the number of Spanish settlers in the district to which he refers was always very inconsiderable. There was a larger repository of Spanish blood in California; but in Arizona and New Mexico, and farther up, in the southern and southwestern part of Colorado and the southern part of Utah, there was scarcely any Spanish blood at any time, as I recall history.

Mr. CUTTING. Mr. President, I beg to take issue with the Senator on that point. The records of the Spanish conquerors in New Mexico are a matter of history. They can be traced under all the Spanish governors. We know just what Spaniards settled in each particular place, and the number of the invaders, as they may be called. That population increased. At the time the United States took over the territory, which I suppose is the time to which the Senator is referring, the Spanish population was the same as it is now—that is to say, around 150,000 to 200,000—and, of course, that was immeasurably superior to the few thousands of Pueblo Indians who were on the land.

I think that background does make a difference when Senators get up here and tell about the terrible injustices which have been done the Indians all over the country.

I see that the opponents of this bill, in a statement they have gotten out asking for a veto in case the bill should pass, state that—

> If the Senate can be led to indorse such a proposal, the century of dishonor has not come to an end.

Mr. President, there has been no century of dishonor so far as New Mexico is concerned. There have been four centuries of complete good faith.

When the United States took over the territory which we now call New Mexico, they took over not only these Indian pueblos but the Spanish population which had been settled there for at least 300 years. Those Spanish people had been just as remote from European or American civilization and culture as any part of the Pueblo Indians. They were totally unfitted to cope with the advances of Anglo-Saxon civilization.

The territory which they owned was exploited by the land grabber and the carpetbagger from the East. Those people to a large extent lost their rights, lost their lands, and were reduced to poverty. That never happened to the Indians. Nothing was ever done by the Federal Government for those Spanish-speaking people. When we consider the millions of dollars that have been spent on Porto Rico and the Philippines to educate the people of those distant possessions in the English language and in Anglo-Saxon ideas, it is fair to remember that those advantages never were given to New Mexico or to the Spanish-speaking majority of the population of New Mexico in any degree.

These Pueblo Indians, on the other hand, have been treated well. They have had admirable schools. Everything has been done for them. Many of them are graduates of Carlisle and other institutions of learning outside of New Mexico, and almost all have been to the Pueblo schools in Albuquerque and Santa Fe. Moreover, they have been protected against any exploitation. Their rights are guaranteed by the United States. They have the right to vote if they choose to pay taxes. If they do not, they remain wards of the Government, and nothing can be done against their interests.

I mention this background because it has, I think, something definitely to do with the subject now before the Senate. I want to compare for a moment the position of the descendants of the conquerors with the descendants of the people they are supposed to have conquered, and especially with regard to this particular bill. It is obvious that the bill will benefit all settlers in this valley, but it is equally obvious that it will benefit the Indians in proportion far more than the white settlers.

The whites, of course, pay taxes and interest. The Indians pay none.

The whites are assessed $76 an acre. As has been very clearly shown by my colleague, the Indians are assessed $67.50 an acre.

The whites pay the principal in 40 years. The Indians can have their time extended indefinitely within the discretion of the Secretary of the Interior.

The whites have to pay for the operation and maintenance of the irrigation system. The Indians are guaranteed against operation and maintenance charges in perpetuity.

The Indians receive priority water rights on the entire amount of acreage now under cultivation; that is, the 8,000 acres. They receive equal rights on the 15,000 acres to be added to cultivation.

The water rights in the old section, as well as the new section, are not subject to loss in case of nonuse or abandonment so long as the title remains in Indian ownership. That is something to which, of course, the white settlers have no claim whatever.

There is no lien against the lands now under cultivation. There is to be no enforcement of the lien against the newly reclaimed lands as long as the title remains with the Indians. To all practical intents and purposes, this probably means forever.

The bill not only trebles or quadruples the value of the Indian lands placed under cultivation, but it also trebles their extent.

It is no wonder that the Assistant Commissioner of Indian Affairs, who hoped for the gratuity clause in this legislation, has since testified that even without the gratuity clause this is the most generous piece of Indian legislation which has been passed by Congress in the last 15 years.

Mr. BRATTON. Mr. President, will my colleague yield to me just there?

Mr. CUTTING. Yes, sir.

Mr. BRATTON. While my colleague is on this subject, I have just been advised by the Assistant Commissioner of the Bureau of Indian Affairs that at no time did the Bureau of Indian Affairs make any promises or give any assurances to the Indians regarding the provisions of this bill; and any assertion to the contrary must of necessity be a mistake. That should become a matter of record.

Mr. CUTTING. I am glad to hear the statement of my colleague. I was sure that that was the case.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. DILL in the chair). Does the Senator from New Mexico yield to the Senator from Utah?

Mr. CUTTING. I yield.

Mr. KING. I am sure that anybody who reads the record, the hearings before the House committee and the hearings before the Senate committee, and the statements made by the Assistant Commissioner of Indian Affairs, Mr. Meritt, can not fail to be impressed with the thought that the Indian Bureau did recommend the $500,000 plus as a gratuity, and the bill which they first indorsed called for that as a gratuity. If that was not a promise, certainly persons reading the record would reach the conclusion that it was the equivalent of such.

Mr. CUTTING. Mr. President, I think it is very obvious, from Mr. Meritt's statement, that he prefers the bill with the gratuity clause in it. I am willing, for the sake of the argument, to agree with the Senator that the bill might be better with the gratuity clause in it. My colleague and I supported it in that form. Mr. Meritt's statement is, however, that even without the gratuity clause, it is the most beneficial piece of Indian legislation we have had in a long time. I do not think there is anything inconsistent in Mr. Meritt's position in that respect. But Mr. Meritt surely was not in any position to promise what Congress would see fit to do with regard to this matter.

This is a bicameral legislature, and the House of Representatives, of course, has to be considered in this matter. The parliamentary situation is simply such at this time that the bill can not pass in the original form. It must pass in this form or in none other.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. CUTTING. I yield.

Mr. LA FOLLETTE. Will the Senator explain what that parliamentary situation is?

Mr. CUTTING. I do not think we have to go into this thing in great detail. I am sure the Senator is just as familiar as I am with the fact that enough opposition has been developed in the House to the bill with a gratuity feature in it as to make it absolutely certain that it can not pass in that form.

Mr. LA FOLLETTE. Just what is that opposition? There is nothing in the RECORD that I have been able to find to show it. All that we have before us, so far as the official record in this matter is concerned, is that the House exercised its right to attach an amendment to the Senate bill. We have nothing but the statements made by the senior Senator from New Mexico, and now reiterated by the junior Senator from New Mexico, that unless the Senate pass the measure without further attempt to investigate the matter before the House, or to exercise its right to amend the House amendment, the legislation must fail. There has been so much of that kind of loose statement made here that I should like at this time to have some specific understanding of just what the parliamentary situation is that prevents the Senate from amending this amendment in such manner as it sees fit.

Mr. BRATTON. Mr. President, will my colleague yield to me?

Mr. CUTTING. I yield.

Mr. BRATTON. In reply to what the Senator from Wisconsin characterizes as so much loose talk, I want to say to him that the Congress will not abandon a policy that has prevailed unbroken for 15 years. The Senator knows that this whole controversy revolves around the policy of whether appropriations like this one are going to be reimbursable, or in the form of a gratuity.

Mr. LA FOLLETTE. Mr. President——

Mr. BRATTON. The Senator will allow me to complete my statement. The reimbursable policy has obtained for the last 15 years. It was inaugurated in 1913. This bill will not pass with a gratuity feature in it, and if the Senator will take as much time to investigate that as I have done, and as my colleague has done, he will reach the same conclusion, namely, that the policy of making appropriations for reclamation of Indian lands reimbursable is not going to be broken as to this bill, or any other legislation in the near future. It is the unbroken policy that has obtained for 15 years. That fact makes it impossible to enact this legislation in the form of an exception to such general policy. That has been investigated thoroughly, and the Senator must have advised himself about it.

Mr. LA FOLLETTE. Mr. President, I should like to ask the Senator if there were not reimbursable features concerning Indian water rights for agricultural purposes in the last appropriation bill that passed at this session of Congress.

Mr. BRATTON. For agricultural purposes?

Mr. LA FOLLETTE. Yes.

Mr. BRATTON. I am speaking about reclamation projects. I do not know as to the other. I am informed by the Bureau of Indian Affairs, and from other sources, that this policy of making appropriations for reclamation of Indian lands has obtained now for about 15 years, and there are those who are strongly committed to it. I am absolutely convinced that the policy will not be departed from in this case.

Mr. LA FOLLETTE. Mr. President, if I may trespass further on the time of the junior Senator from New Mexico, and let me say to him that I have no disposition to break the connected character of his argument——

Mr. CUTTING. I yield.

Mr. LA FOLLETTE. I requested a more definite statement of the basis upon which the Senators from New Mexico founded their contention that this legislation must pass in this form or not at all, and all that I get from the Senator is a statement to the effect that his information indicates that there has been a policy since 1913 of making all Indian reclamation work reimbursable. Waiving, for the moment, the question of whether or not the Senator's information is correct in that matter, it still does not explain the particular situation in which this bill rests.

The Senate can amend the bill in such a manner as it thinks is just under the circumstances, and can then message the bill over to the House. The question will come up on the floor of the House and be discussed there on its merits. As I stated in my remarks this morning, until the Senate has either taken that course or taken the course, which is perfectly legitimate, of rejecting the House amendment and asking for a conference, I maintain that it has not exhausted the perfectly legitimate and usual procedure in matters of this kind.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. HEFLIN in the chair). Does the Senator from New Mexico yield to the Senator from Utah?

Mr. CUTTING. I yield.

Mr. KING. It seems to me that the two Senators from New Mexico, able and earnest as they are, postulate a static condition, namely, that there must be appropriated one million five hundred ninety and odd thousand dollars, and in order to give reasonableness to such an enormous appropriation, they assume that the entire twenty and odd thousand acres are to be reclaimed. They forget that 8,346 acres have been reclaimed; that there are valid rights, of which the Indians may not be deprived, rights which were sanctified, if that is a proper term, by the enabling act under which New Mexico came into the Union, and by the constitution of New Mexico. The rights of those Indians were confirmed and may not be taken from them. Those Indians are not asking that those 8,346 acres shall be reclaimed. They have already been reclaimed. They are not asking for water rights or for the protection of their water rights. They have valid rights of which they may not be deprived by the State of New Mexico or by the Federal Government.

Therefore, the whole question is not as to this question of a gratuity, one of $500,000 plus. We may remit that, if the Senators will consent to the elimination of the $596,000 from the bill, and seek an appropriation of $1,000,000, and then allocate that to the 15,000 acres which are to be reclaimed, making approximately $67 per acre as the basis. If that were done, there would be no controversy, in my opinion.

Mr. CUTTING. Mr. President, may I say to the Senator that, admitting for the moment that the Indians have a legal claim on the 8,346 acres, on the water rights, and everything else concerned, in the course of time all that would be of absolutely no value to them whatever, from a practical point of view. I think my colleague has clearly shown to the Senate that the water level along the Rio Grande Valley is constantly rising, that each year there is less land available, and that the land that is available is getting more and more water-logged and more and more filled with alkali, and less and less useful for any practical purpose. I have not fixed that figure of $1,5[illegible]3,000. That was figured after a very careful calculation of the proportionate benefits which the Indians were to derive as compared with the rest of the valley. I accept that in perfect good faith, coming from a committee of expert engineers and two very able committees of the House and the Senate, as the proper figure. I have not calculated it; I am sure it is correct.

I am sure that if the Senator from Utah came before us with a proposition with regard to his State of this sort, my colleague and I would gladly accept any figure he would give; and the same applies to the State of Wisconsin or to the State of North Dakota. I say this in the best of feeling, because I know that these Senators are entirely sincere in speaking for what they consider the best interest of the Indians. We feel otherwise. We feel that the Indians are going to get more benefit out of this legislation, in proportion, than any other citizens of New Mexico.

If somebody were to come before the Senate and state that this bill as we propose it were too generous to the Indians, I think we should have a very much more difficult time to prove the merits of our proposition. I do not think it is too generous, because I think we ought to lean over backward in the attempt to do justice to the Indians at all times. But surely, when the very gentleman who is opposing the bill now has testified before the Senate committee that if such a bill is not passed the Indians will be faced with what has been described as the supreme evil, that of being compelled, because of the growth of population, to break up and go out to distant places, it seems very evident that we, in proposing this bill, are attempting to save the Indians from a calamity which has not been visited on them in the course of the last 400 years and from which they alone have perhaps been spared out of all the tribes of Indians in the country. With the exception, of course, of the Indians in Arizona, who came into the United States under the same terms, I believe these are the only Indians who have been living undisturbed down the centuries on the lands which they have occupied since prehistoric times. If this bill does not pass, according to Mr. Collier himself, these Indians are going to have to move out. They are going to lose their rights, which they have valued and maintained for the last 400 years to our knowledge, and for possibly many hundreds of years before that.

How can any friend of the Indians, or supposed friend of the Indians, under these circumstances, argue that if the bill shall pass in its present form the Indian pueblos will be urged to obtain a veto, and if they do not obtain a veto to contest the constitutionality of this act in the courts?

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. CUTTING. I yield.

Mr. LA FOLLETTE. Does the Senator from New Mexico think that Mr. Hanna is not a friend of these Indians?

Mr. CUTTING. Mr. President, I think that Mr. Hanna is a very sincere friend of the Indians. I think Mr. Hanna has been misinformed as to the conditions prevailing in Congress. I have a long telegram from him, by the way, which I think perhaps I might read.

Mr. LA FOLLETTE. The Senator has inferred that other Senators who do not live in New Mexico are uninformed in regard to this matter, but the Senator would hardly infer that Mr. Hanna, who lives in Albuquerque, and who has been the attorney for these Indians in this matter, is not informed, I take it.

Mr. CUTTING. His telegram starts:

> From information reaching me I fear that Senate debate on conservancy bill may create strong impression that appropriation is excessive.

It goes on along those lines. There are two pages of it. But the basis of the whole discussion is the fact that information has reached him from Washington on which he bases his recommendations as to what is to be done. Mr. Hanna not being here,

is not in a position to discuss the relative benefits which may accrue to the Indians from this bill or from some other bill, as we might amend it, because he does not understand the parliamentary situation, which my colleague and I are trying to make clear to the Senator from Wisconsin.

Mr. LA FOLLETTE. I would like to ask the Senator if Mr. Hanna is not the one who, in his telegrams, suggests that an effort will be made to secure a veto or to test it in the courts?

Mr. CUTTING. No; I do not refer to Mr. Hanna. It was Mr. Collier from whom I had a letter on that question.

Mr. LA FOLLETTE. If the Senator will read the telegram, I think he will find that suggestion embodied in it.

Mr. CUTTING. For the information of the Senator I shall be glad to read the entire telegram:

ALBUQUERQUE, N. MEX., *February 27, 1928.*

Hon. BRONSON N. CUTTING,
United States Senate, Washington, D. C.:

From information reaching me I fear that Senate debate on conservancy bill may create strong impression that appropriation is excessive and constitutes an injustice to Indians, thereby precipitating a fight for veto which might, and probably would, prove fatal to appropriation at this session. Can not believe that it is the policy of Congress or executive branches of Government to place burden by lien or reimbursable debt upon present cultivated areas of the pueblos, yet careful study of Cramton bill assures this result. If compromise could be reached before to-morrow and amendments accepted curing bill with assurance of appropriation for conservancy work understand necessity for conference exists, but can not believe that CRAMTON or his associates would desire or have the power to block favorable action—

All pure assumptions, of course, as the Senator will realize—

Importance of matter from State standpoint clearly requires cooperation and avoidance of antagonisms if success is attained. Believe success through compromise and acceptance of amendments more certain and that attitude of CRAMTON and apparent belief that his wishes must be accepted constitute greater jeopardy to desired success of conservancy measure. I know that a nation-wide fight for the veto of the measure as it is now presented to the Senate will be made, and I am greatly desirous of eliminating this dangerous element and express the hope that your last-hour effort will help accomplish the result.

R. H. HANNA.

It is quite obvious from the telegram that Judge Hanna believes the bill ought to pass, that it is a valuable piece of legislation. He is alarmed for fear there will be a veto. He wants to eliminate what he considers the dangerous elements in the bill. He believes the necessity for a compromise exists.

Mr. LA FOLLETTE. Mr. President, will the Senator yield further?

Mr. CUTTING. In just a moment, if the Senator will pardon me. Judge Hanna "can not believe" that Mr. CRAMTON and his associates would desire or have the power to prevent favorable action. I think the Senator from Wisconsin will agree with me that that is not a matter which Judge Hanna can decide from Albuquerque, N. Mex.

Now I am glad to yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. In so far as Judge Hanna's statements are directed to the legislation, I note that he states "after careful consideration of the Cramton amendment." Also I would like to suggest to the Senator that he characterizes Judge Hanna's fears with regard to this legislation as assumptions. I would like to reiterate that I characterize the statement of the Senator from New Mexico that the legislation can not pass unless we take the bill exactly in the form in which it is now presented as also an assumption.

I would like to make one further statement, if the Senator will permit me, that no one is contending here against any legislation at all, but those who are opposed to the legislation in the present form are contending that the Senate could go further in its attempt to secure the legislation that it has gone at this time.

Mr. CUTTING. May I ask the Senator from Wisconsin a question?

Mr. LA FOLLETTE. I am delighted.

Mr. CUTTING. If he could be convinced that the bill would have to pass in its present form or not at all, would he be in favor of this legislation or of no legislation at all?

Mr. LA FOLLETTE. In the first place let me say that I would be opposed to the bill in its present form until every effort has been made to reach an agreement with the House of Representatives that will protect the interests of the Indians in this matter, as I see them, until the Senate has amended the bill to make that protection of their interests and sent it to the House, where it can come up on its merits on the floor of the House, rather than to take a sub rosa statement of some Member of the House that he is not going to let the bill pass unless the Senate recedes. I do not think we have discharged that obligation.

In regard to the Senator's question as to whether or not, if I were convinced, after the Senate had taken that action, that the bill could not pass except in its present form, I would like to say that in my judgment the interests of the Indians would be protected if the legislation failed of passage at this session of Congress and it could be taken up at the next session of Congress. I would prefer to see a fight made here by the Senate now for the legislation and efforts put forward to get it in a form which would be just to the Indians. If that can not be done at this session of Congress, I would prefer to have the fight made at the next session of Congress rather than to sacrifice the interests of the Indians as I see them.

Mr. CUTTING. It is quite obvious that that is not the position of Judge Hanna, and that is the reason why I read his telegram in full. The Senator from Wisconsin suggested that Judge Hanna had been one of the men who had mentioned the possibility of making a fight in the courts on the constitutionality of the bill. So far as his telegram to me goes, that is not the case.

Mr. LA FOLLETTE. My suggestion with regard to Judge Hanna was that he made a suggestion concerning the possibility of its veto.

Mr. CUTTING. Then I misunderstood the Senator. But the fact remains that the only letter which suggested a testing of the constitutionality of the matter came from Mr. Collier, saying that six Pueblo Tribes, if they failed to obtain a veto, would seek an injunction and fight the matter to the highest court.

Mr. LA FOLLETTE. The Senator does not contend they have not a right to do that?

Mr. CUTTING. I do not contend anything of the sort. I contend that no true friend of the Indians could possibly urge them to take any such action.

I think I have about covered the situation. There may be some other Senator who wants to speak on the matter. As I said, it is the most important matter that has come before the State of New Mexico since statehood. It is as important to the Indians as to any other citizen of the valley, and probably more important. I submit that every true friend of the Indians will support the measure in the form in which it is at present before the Senate, with the amendment suggested by the Senator from Kansas.

Mr. DILL. Mr. President, I am interested in the pending measure from only one standpoint, namely, the reimbursable feature. If the policy which has been established in the Congress for a long period of years, of making such appropriations reimbursable, is to be abandoned, it opens the door to what I consider a very dangerous situation in that connection. I do not understand, from what I can learn of the legislation, how anybody can seriously contend that the money should not be reimbursed as are all other appropriations for the development of Indian property.

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

Mr. DILL. Certainly.

Mr. KING. That is not the only question involved.

Mr. DILL. It is a very big question that is involved.

Mr. KING. If we eliminate the alleged gratuity of $593,000 and charge the Indian lands with $1,000,000 so that the land to be reclaimed would pay approximately $67 an acre, approximately what is paid by the white people, there would be no controversy, at least so far as I am concerned.

Mr. DILL. The land that is to be reclaimed, as I understand it, is now waste land.

Mr. KING. Oh, no.

Mr. DILL. That is the statement made here.

Mr. KING. There are 8,346 acres which have been reclaimed and which have been cultivated for many years, and the theory is that they will put the 8,346 acres into the entire aggregate acreage and charge those acres theoretically, but still put all the burden upon the 15,000 acres.

Mr. DILL. I think the 15,000 acres could well afford to bear that burden, because otherwise they would never have been developed. The proposal that the money should not be reimbursed is to me indefensible in the face of the long established policy of Congress of requiring the reimbursing of all such appropriations. I do not desire to take further time on the matter, but I did want to make just that statement.

Mr. BRUCE. Mr. President, I send to the desk a telegram which I should like to have read. It relates to the present debate.

The PRESIDING OFFICER. The telegram will be read, as requested.

The Chief Clerk read as follows:

BALTIMORE, MD., *February 28, 1928.*

Hon. WILLIAM CABELL BRUCE,

United States Senate, Washington, D. C.:

Large group Baltimore women, including heads of several large women's organizations, in meeting assembled with Fortnightly Club, strongly urge that Senate bill 700 be so amended as to fully protect interests of Pueblo Indians, and that you as our representative advise the Senate of our wishes in this matter.

ANNA N. KAY, *Secretary.*

Mr. McKELLAR. Mr. President, I wish to say to those who are in charge of the bill that I do not intend to delay its further consideration more than 10 minutes. I desire to speak for about that length of time upon another matter.

Mr. BRATTON. I thank the Senator for his assurance.

FEDERAL AID TO ROADS

Mr. McKELLAR. Mr. President, I was glad to note in his December message that the President thought well of Federal participation in road building. I regret, however, that he said: "National participation, however, should be confined to trunk-line systems." In this I think the President has made a mistake. Only a small proportion of the people of the United States live on trunk-line systems, and I believe as many of the people of the United States as possible are entitled to good roads. There are already in existence splendid trunk-line roads.

Mr. President, the Federal aid to roads movement got its first great impetus in the House of Representatives in 1912. I was then serving there and I was placed upon a special committee to draft a Federal aid to roads law. Tennessee was particularly honored by the then Speaker, Champ Clark, when he put both Congressman JOSEPH W. BYRNS and myself on that committee. We reported out a bill known as the Shackleford bill, but it failed of passage and there were many failures before the bill finally became the law. However, the present road act was finally enacted into law on July 11, 1916. Shortly after that, when the question of appropriation was up, we were virtually in the throes of a war and the then President had indicated that he did not desire money to be spent for roads at that time. The late Senator Bankhead was chairman of the Post Offices and Post Roads Committee at the time, and he and I called on the President and got him to recommend a liberal appropriation. Later on the appropriations were made even more liberal, and to-day under the impetus given to road building by Federal aid we are developing a vast and splendid system of good roads throughout the country.

The Federal Government is specifically authorized by the Constitution to establish post roads. There can be no possible constitutional objection to this system. The first Federal-aid road was begun in the administration of Mr. Jefferson, who was an ardent advocate of good roads. So that Federal aid to roads is not only constitutional but it is Democratic, as it was begun by the founder of our party.

The value of good roads to the country can not be estimated. When this national aid to roads act was passed there was not even a State highway commission in Tennessee, but I went to Nashville in 1915 and urged the passage of a highway commission bill so that Tennessee could have the advantage of the Federal aid act, when passed, and a bill was passed by the legislature and from the very beginning Tennessee has received her full share of the benefits of the Federal aid act. On July 31, 1916, I made a speech in the House of Representatives, being then a Member of that body, on benefits to Tennessee from the Federal road law, which speech I closed as follows:

I am very proud of the part I have taken in securing this much-needed piece of national legislation. It is one of the many great pieces of legislation enacted by this Democratic administration. It will accomplish great things for Tennessee, and it will give an impetus to road building in our State that it has never had before. The various counties are already doing much in that line, but with the example of the State and National Governments before them they will accomplish greater and larger things. This is my firm belief.

Mr. President, the belief that I then entertained has been more than realized.

The total mileage of Federal-aid projects completed in Tennessee up to date is 900 miles. The total mileage of Federal-aid projects under construction is 250 miles. The total of Federal payments on completed projects is $12,284,761. The total paid by the State on these projects is $13,652,093. The total Federal payments on projects under construction up to November 30, 1927, was $2,161,181. This, added to combined projects above, makes the total $14,446,942.

I have recently obtained from the Bureau of Roads full information in reference to Federal-aid roads built in Tennessee.

Mr. President, I ask that there may be inserted in the RECORD at this point in my remarks tables furnished me by the Bureau of Roads showing the types and location of completed Federal-aid projects in Tennessee as of November 30, 1927.

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

The matter referred to is as follows:

Type and location of completed Federal-aid projects in Tennessee, November 30, 1927

Location	Project No.	Length
CONCRETE ROADS		
		Miles
Athens to McMinn-Bradley County line	28	14.5
Humboldt to Gibson-Madison County line	29A	2.3
Madison-Gibson County line toward Humboldt	29B	7.4
Brighton to Covington	31B	7.3
Millington to Shelby-Tipton County line	31C	3.9
Town of Sale Creek to Soddy Creek	35	7.4
Shelby-Fayette County line to Fayette-Tipton County line	36A	7.9
Gates to Lauderdale-Dyer County line	39B	6.0
Ripley to Gates	39C	10.0
Near Knoxville to Knox-Loudon County line	41B	2.8
Greenville to Limestone	44A	11.4
Troy to Union City	54	9.5
McMinn-Monroe County line toward Athens	60A	7.0
Jackson to Madison-Haywood County line	69	14.7
Brownsville to Haywood-Madison County line	70	6.1
Tiptonville toward Hornbeak	71	1.0
Cleveland to Bradley-James County line	78A	9.2
Trenton to Humboldt	.86	9.5
On Chattanooga-Whitwell Road near junction road to Dayton	88	.9
Kingsport toward Bristol	95	6.3
End of project 95 toward Bristol	97	8.0
End of project 97 toward Bristol	98	8.3
Fayette-Tipton County line to Tipton-Haywood County line	204A	4.8
Lenoir City to Loudon-Knox County line	207	5.2
Total		171.4
BITUMINOUS CONCRETE ROADS		
Memphis to Mississippi line near Whitehaven	43	7.4
Dyersburg to Newbern	52	8.3
Nashville southwest toward Memphis	87	2.5
Nashville toward Gallatin	206	3.7
Total		21.9
ROCK ASPHALT ROADS		
Alabama Line to Pulaski	25	19.2
Columbia to Maury-Williamson County line	26	11.9
La Follette to Campbell-Anderson County line	37C	4.8
Near Knoxville to Knox-Loudon County line	41B	12.8
Sumner-Davidson County line to Gallatin	63	12.8
Brownsville to Haywood-Madison County line	70	3.9
Kingston to Rockwood	85	10.0
Total		75.4
BITUMINOUS MACADAM ROADS		
Marion-Hamilton County line toward Whitwell	2B	1.4
Johnson City to Washington-Greene County line	6	19.7
Memphis to Millington	8	16.1
Between Arthur and Clinch River	12B	15.7
Tate Springs to Kingsport	14	50.1
Jamestown to Forbus	20	14.3
Benton-Carroll County line to Huntingdon	21	12.3
Dresden to McKenzie	22	15.4
From project 2 toward Whitwell	24	2.3
Covington to Tipton-Lauderdale County line	30	5.2
Lauderdale-Tipton County line to Ripley	32	7.7
Bells northwest on Jackson-Dyersburg Road	33	5.7
La Follette to Campbell-Anderson County line	37C	7.7
White-Cumberland County line to Sparta	38	13.5
Buford to Giles-Maury County line	40A	7.1
Cheatham-Dickson County line to Burns	46B	9.9
Murfreesboro to Lavergne	47	15.5
Readyville to Murfreesboro	48B	10.6
Woodbury to Cannon-Rutherford County line	49	6.6
Lincoln-Bedford County line to Fayetteville	50	15.3
Madison-Crockett County line to 5 miles west of Jackson	57	6.7
McMinnville to Warren-Cannon County line	65B	12.2
From project 24 toward Whitwell	72A	9.9
Belleview toward Nashville	74	2.3
Pikeville to Bledsoe-Rhea County line	84	8.9
Clarksville to Cumberland River	91A	1.8
Bedford-Rutherford County line to Shelbyville	96	11.0
Sparta to White-Van Buren County line	201A	14.0
Van Buren-Warren County line to McMinnville	202	13.4
Total		332.3
GRAVEL ROADS		
Paris to Henry-Carroll County line	7	15.4
Camden to Benton-Humphreys County line	9	7.0
Paris to Kentucky line	10	18.3
McKenzie to Carroll-Henry County line	13	2.8
Summertown to Hohenwald	27	20.5
Lawrenceburg to Lawrence-Wayne County line	62B	15.5
Carthage to Smith-Wilson County line	68	10.7

Type and location of completed Federal-aid projects in Tennessee, November 30, 1927—Continued

Location	Project No.	Length
GRAVEL ROADS—continued		*Miles*
Tiptonville toward Hornbeak	71	7.0
Camden to Benton-Carroll County line	94	8.0
Wayne-Lawrence County line to Waynesboro	99	11.8
Total		117.0

I next quote the facts and figures on partly constructed highways. Probably the principal highway through Tennessee is the one from Memphis in a general northeasterly direction to Bristol. I give the data as to that road furnished me by the Bureau of Roads:

Memphis to Bristol

Location	Federal-aid project No.	Status	Distance (miles)	Type of surface
Memphis to point about 5 miles east.	None.			
Point about 5 miles east to Shelby-Fayette County line.	36BCD	Construction	18.8	Concrete.
Shelby-Fayette County line to Fayette-Tipton County line.	36A	Completed	7.9	Do.
Tipton-Fayette County line to Tipton-Haywood County line.	204A	do	4.7	Do.
Haywood-Tipton County line to Brownsville.	100	Construction	16.1	Do.
Brownsville to Haywood-Madison County line.	70	Completed	6.1 3.9	Do. Rock asphalt.
Madison-Haywood County line to Jackson.	69	do	14.6	Concrete.
Jackson to point 8 miles northeast.	51D	Construction	7.9	Graded and drained.
Point 8 miles northeast of Jackson to Huntingdon.	51ABC	Completed	26.3	Do.
Huntingdon to Carroll-Benton County line.	21	do	12.3	Bituminous macadam.
Benton-Carroll County line to Camden.	94	do	8.0	Gravel.
Camden to Benton-Humphreys County line.	9	do	7.0	Do.
Humphreys-Benton County line to Burns.	None.			
Burns to Dickson-Cheatham County line.	46	do	9.9	Bituminous macadam.
Cheatham-Dickson County line to point 2 miles from Cheatham-Davidson County line.	205	do	9.5	Graded and drained.
Point 2 miles from Cheatham-Davidson County line to point near Belleview.	75A	Construction	7.4	Concrete.
Terminus of project 75A to terminus project 75B.	74	Completed	2.3	Bituminous macadam.
Terminus project 74 to McLean.	75B	Approved	2.5	Graded and drained.
McLean to Nashville	87	Completed	2.5	Bituminous concrete.
Nashville to Davidson-Rutherford County line.	56	Construction	13.0	Concrete.
Rutherford-Davidson County line to Murfreesboro.	47	Completed	15.5	Bituminous macadam.
Murfreesboro to Readyville	48B	do	10.6	Do.
Readyville to Rutherford-Cannon County line.	48C	Approved	.7	Do.
Cannon-Rutherford County line to Woodbury	49	Completed	6.6	Do.
Woodbury to Cannon-Warren County line.	48A	Construction	8.6	Do.
Warren-Cannon County line to McMinnville.	65	Completed	12.2	Do.
McMinnville to Warren-Van Buren County line.	202	do	13.4	Do.
Bridge over Caney Fork	203	Construction	.1	Reinforced concrete bridge.
Bridge over Caney Fork to Sparta.	201	Completed	14.0	Bituminous macadam.
Sparta to White-Cumberland County line.	38	do	13.5	Do.
Cumberland-White County line to Rockwood.	None.			
Rockwood to Kingston	85	do	10.0	Rock asphalt.
Kingston to Roane-Loudon County line.	45A	Construction	11.6	Concrete.
Loudon-Roane County line to Loudon-Knox County line.	45B	Approved	8.0	Not determined.
Knox-Loudon County line to Point near Knoxville.	41	Completed	12.8	Rock asphalt.
Terminus project 41 to Knoxville.	None.			
Knoxville to Rutledge	210	Approved	7.0 5.7 17.6	Bituminous concrete. Graded and drained. Not determined.
Rutledge to Tate Springs	None.			
Tate Springs to Kingsport	14	Completed	50.1	Bituminous macadam.
Kingsport to Bristol	95, 97, 98	do	22.7	Concrete.

I next give the data in connection with the road from Chattanooga to Knoxville.

Chattanooga to Knoxville

Location	Federal-aid project No.	Status	Distance (miles)	Type of surface
Chattanooga to Hamilton-James County line.	78C	Approved	9.8	Not determined.
James-Hamilton County line to James-Bradley County line.	78B	Construction	6.4	Graded and drained.
Bradley-James County line to Cleveland.	78A	Completed	9.2	Concrete.
Cleveland to Bradley-McMinn County line.	58	Construction	10.1	Do.
McMinn-Bradley County line to Athens.	28	Completed	14.5	Do.
Athens to point 2 miles north.	60B	Approved	2.1	Not determined.
Point 2 miles north of Athens to McMinn-Monroe County line.	60A	Completed	7.0	Concrete.
Monroe-McMinn County line to Lenoir City.	None.			
Lenoir City to Loudon-Knox County line.	207	do	5.2	Do.
Knox-Loudon County line to point near Knoxville.	41	do	2.8 12.8	Do. Rock asphalt.
Terminus Project 41 to Knoxville.	None.			

Next from Memphis to Fulton, Ky.

Memphis to Fulton

Location	Federal-aid project No.	Status	Distance (miles)	Type of surface
Memphis to Millington	8	Completed	16.1	Bituminous macadam.
Millington to Covington	31BC	do	11.2	Concrete.
Do	31A	Construction	9.8	Do.
Covington to Tipton-Lauderdale County line.	30	Completed	5.1	Bituminous macadam.
Lauderdale-Tipton County line to Ripley.	32	do	7.7	Do.
Ripley to Dyersburg	39ABC	do	22.2	Concrete.
Do	39D	do	.1	Bridge.
Dyersburg to Newbern	52	do	8.3	Bituminous concrete.
Newbern to Dyer-Obion County line.	81B	Construction	7.5	Graded and drained.
Obion-Dyer County line to Obion.	81C	Approved	3.8	Not determined.
Obion to Troy	81A	Construction	5.8	Graded.
Troy to Union City	54	Completed	9.5	Concrete.
Union City to South Fulton	64	Construction	10.0	Do.

Next from Nashville to Chattanooga.

Nashville to Chattanooga

Location	Remarks
Nashville to Murfreesboro	Federal-aid projects Nos. 56 and 47 common with Memphis-Bristol route.
Murfreesboro to Chattanooga	No other Federal-aid projects on the route.

Next from Alabama line, through Nashville and Gallatin, to the Kentucky line.

Alabama line, through Nashville and Gallatin, to Kentucky line

Location	Federal-aid project No.	Status	Distance (miles)	Type of surface
Alabama Line to Pulaski	25	Completed	19.2	Rock asphalt.
Pulaski to Columbia	40A	do	7.1	Bituminous macadam.
Do	40B	Construction	12.5	Do.
Do	40C	do	9.4	Concrete.
Columbia to Maury-Williamson County line.	26	Completed	11.9	Rock asphalt.
Williamson-Maury County line to Nashville.	None.			
Nashville toward Gallatin	206	Completed	3.7	Bituminous concrete.
Terminus of project 206 to terminus project 67A.	67B	Approved	.5	Grade separation.
Terminus of project 67B to Davidson-Sumner County line.	67A	Construction	5.6	Rock asphalt.
Sumner-Davidson County line to Gallatin.	63	Completed	12.8	Do.
Gallatin to Kentucky line	None.			

Mr. McKELLAR. From these facts and figures, Mr. President, which I shall not undertake now to elaborate, it is seen what Federal aid is doing for Tennessee. While these through lines have not all been completed with Federal aid, they have been filled in by the counties or by the State in a way that now gives us a good system of through highways. It will be seen from examining the figures that the Federal-aid projects have cost an average of about $30,000 a mile, which is a reasonable cost when we remember that some of them were built during and just after the war. The building of these roads has given a wonderful impetus to road building throughout the State, and though Federal aid has continued only a period of 10 years we have established in our State an excellent system of roads.

Mr. President, we must take no backward step on the question of road building. Instead of that, we should move forward and progress. I have introduced another bill providing for Federal aid to rural post roads. I hope to get it reported out of the committee and passed soon. It ought to become the law. Nothing so helps a country as a good system of roads. There should be hard-surfaced roads connecting every county seat not only in Tennessee, but connecting county seats in every State in the Union. The Government can not better spend its money than to spend it on Federal aid to roads. As a member of the Post Offices and Post Roads Committee of the Senate I have taken part in all legislation providing for Federal aid to roads, and a most active part, and am one of the authors of the present amended law, and I take pride in the fact that I have had the opportunity in this way of aiding in building up the road system, not only of my own State, but the road systems of the Nation.

PUEBLO INDIAN LANDS

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 700) authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex., and for other purposes.

The PRESIDING OFFICER (Mr. HEFLIN in the chair). The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment of the Senator from Kansas [Mr. CURTIS] as modified.

Mr. KING. Mr. President, the debate upon the pending measures has consumed considerable time and covered the important questions involved. The Senators from New Mexico have, with ability and zeal, presented their views and submitted arguments in favor of the bill as amended by the House. The Senators from Wisconsin [Mr. LA FOLLETTE] and North Dakota [Mr. FRAZIER] in an able and comprehensive manner assembled the facts and presented arguments against the House amendment. So far as I know the material facts have been presented and the case is ready to be closed and the judgment of the Senate taken. However, before the final vote I desire to give to the Senate my views upon the measure before us and to state some of the reasons which will compel me to vote against the bill.

For a number of years the inhabitants of the Rio Grande Valley in New Mexico have been interested in developing an irrigation and reclamation project and in protecting their property from devastating floods. The Rio Grande River flows through this valley for more than 150 miles, and there can be irrigated, if the waters of the river are properly conserved and distributed, approximately 132,000 acres of land. Within the valley there have resided for hundreds of years groups of Indians known as the Pueblos. When the Spaniards first entered the Rio Grande Valley in New Mexico they found a large number of Indians who were engaged in agricultural and pastoral pursuits.

They had houses and lands and personal property and were cultivating many thousand acres of land upon which they produced abundant crops for their sustenance. These Indians were peaceable and inoffensive, and had attained a higher standard of civilization than many tribes in the territory now embraced within the United States. Their villages were located upon the highlands, and by means of dams and ditches water was diverted at many places from the river and conveyed to and upon the lands which they cultivated. The land irrigated by them yielded valuable agricultural crops, and because of their agricultural pursuits it gave to them permanent habitats. There were a number of these pueblos extending up and down the valley for many miles. The maximum number of acres of land irrigated by the Indians in those early days was greatly in excess of the area now cultivated by the Indians.

With the advent of the Spaniards and the changed conditions which subsequently occurred, together with the movement of Americans westward as the United States became settled, the number of Pueblo Indians diminished, and the area of the lands owned and occupied by them materially decreased. At the present time there are about 3,500 Pueblo Indians occupying a portion of the lands which their ancestors owned and possessed hundreds of years ago. They hold the lands of each separate group or pueblo in communal form, and each pueblo in many ways is a distinct and corporate entity. These Pueblo Indians farm approximately 8,340 acres, being a portion of the lands which have been occupied and farmed for hundreds of years by their forefathers.

In the hearings upon this and other similar bills, and during the debate, intimations have been made that the Indians do not have an indefeasible title to the lands which they occupy and the waters which they use for irrigation and domestic purposes. The argument has been made in favor of the pending bill that it is a protective measure and will assure the Indians title to the lands which they now occupy and the waters which they now use for irrigation purposes, as well as those which they will in the future use upon additional lands which will be brought under cultivation.

Mr. President, in my opinion, the Pueblo Indians have suffered at the hands of the Government and of the white man. Little by little encroachments have been made upon their holdings and lands which have come down to them from past centuries. In my opinion, the United States has not always been a faithful guardian of these patient and inoffensive Indians and has looked on with complacency and indifference while they have been despoiled of their possessions. The limits of their lands have been narrowed by unjust invasions, and trespasses committed upon their property have been asserted as the foundation of alleged newly acquired titles by such trespassers.

Mr. President, legislation is not needed for the protection of these Indians. If the Government and the Indian Bureau would discharge the duties resting upon them, no further exploitation of these Indians would occur. Legislation, however, has been sought in the past to further deprive the Pueblos of their lands. A commission created by Congress is now investigating the claims set up by white men, and I am told that it has been established that prescriptive rights have been asserted against the Indians as a result of which they will be deprived of many hundreds of acres of land.

Mr. President. as I have stated, the Pueblo Indians trace their land titles back for hundreds of years. They were recognized by the Spanish conquerors, and under the treaty of Guadalupe Hidalgo the rights of the Pueblo Indians were recognized. To justify this legislation upon the ground that the rights of the Indians will be protected seems the height of irony. The United States can not divest the Indians of their rights either in land or water. There is a solemn obligation to protect the Indians from the trespasses and invasions of white men and guard them against exploitation.

The rights of the Pueblo Indians to land were not derived from New Mexico. The enabling act for the State required a compact that the State should surrender to the Congress of the United States all jurisdiction and right over the lands of any Indians deriving title from the United States or any prior sovereignty, and reserving jurisdiction to the United States over these lands until the title of the Indians had ceased to exist. By the constitution of the State of New Mexico these conditions were accepted, and the constitutionality of the same has been affirmed by the Supreme Court of the United States.

The waters used for irrigation upon the lands of the Pueblo Indians was an appurtenant to the land, and the Indians owned the same as well as the lands in fee. Certainly, no one can challenge the right of the Pueblos to the use of the waters of the Rio Grande River which they and their ancestors have used for hundred of years. The right to the use of the waters which they have appropriated can not be denied them, and no legislative fiat is required to confirm their title or to make it more secure.

Mr. President, the intimations that these Indians have lost their land and water because of the invasions and trespasses of white people, or that their rights may be jeopardized by further invasions, is a reflection, just or unjust, upon the Government of the United States, and those charged with the protection of the Indians. This legislation is not urged by the Indians; it emanates from the white inhabitants of the Rio Grande Valley. Within the valley is the city of Albuquerque, and many thousands of American citizens have found homes in this part of New Mexico. The greater portion of the lands within the Rio Grande Valley has been acquired by American citizens. The facts brought to the attention of Congress show that the Rio Grande Valley suffers from floods and high waters, that farms are inundated and property destroyed. The floods have seriously

injured property within the city of Albuquerque and have destroyed property of great value owned by railroad companies. It is conceded that the floods should be controlled and steps taken to improve the irrigation systems within the valley, and to drain some portions of the lands which have become waterlogged and suffer from alkaline deposits. Of the approximately 132,000 acres of arable land 23,000 acres are concededly owned by the Indians, the residue by American citizens.

As stated, the Indian lands are not in one block, but in pueblos, and are interspersed with the lands of white settlers. To protect the city of Albuquerque and the railroads and the valuable properties of those residing in the valley, a conservancy district was organized under the laws of the State of New Mexico. The corporation so organized is to construct the necessary dams and flood-control works, irrigation systems, and provide for drainage where required. The estimated cost of the project is $11,829,000. The total area benefited is 132,000 acres, 23,000 of which are Pueblo Indian lands. Apparently the project will not be carried forward unless the Government assumes the burden of meeting certain charges allocated to the Indian lands. Accordingly, the bill before us has been prepared and authorizes an appropriation out of the Federal Treasury aggregating $1,593,311. I should state that there should be added to this sum $50,000 which was appropriated last year for investigation and preliminary purposes.

It is conceded that the Indians are now irrigating 8,343 acres of land, and that the project when completed will enable them to irrigate an additional 15,000 acres. The claim is made that the entire project is halted until Congress makes provision for the costs chargeable against the Indian lands.

In April, 1926, the first conservancy bill was introduced. It called for an appropriation of $1,200,000. When representatives of the Pueblos insisted that the amount to be charged to the Indians was too great, whether viewed from the standpoint of Indian reimbursement or as a Government gratuity, the conservancy district through its attorney, under date of June 4, 1926, stated:

> Of course, if it is found that only 15,000 or 20,000 acres of Indian land can be properly reclaimed, then an appropriation of $600,000 or $800,000 would be sufficient. The chief engineer, Mr. Joseph Burkholder, says that if it will help the bill at this time it might be wise to consent to cut the appropriation authorized to $700,000, and if it is found out later that more land can be developed and reclaimed, then we will seek additional money later.

This statement means that the reclamation or development of 20,000 acres of Indian lands could be accomplished for a maximum of $800,000, although the chief engineer places it at $700,000. The cost per acre would be, according to the attorney, Mr. Rodey, $40, and according to Mr. Burkholder, the chief engineer, $35 per acre. It is not stated that 20,000 acres of the Pueblo lands are to be irrigated and reclaimed, but the demand is now made for an appropriation of $1,593,311.

It is admitted that the Indians now irrigate 8,340 acres; that they have an irrigation system which, although not modern, has met in a satisfactory manner the requirements of the Indians. The project therefore is not for the benefit of these irrigated Indian lands. No one questions the title of the Indians to these lands or their right to divert waters from the river for their irrigation. Indeed, these lands have a primary right to the use of the waters from the Rio Grande River; it is a vested right; it is one of which the Indians can not be deprived. If the principles of equity were to be strictly applied in this case, the remaining 15,000 acres of lands owned by the Indians which it is claimed will be brought under irrigation upon the completion of the project would be recognized as entitled to the use of the waters of the Rio Grande River. These lands were at one time irrigated, and the Indians have done nothing which forfeited their rights to the perpetual use of sufficient of the waters of the river for the irrigation of their lands.

However, the point is not being made that the conservancy district should complete the project without some contribution from the Indians or the Government. It is a question, however, of prime importance as to what sum should be contributed to the enterprise to meet any fair charge laid against pueblo lands not now irrigated.

I have quoted what was said by the chief engineer when he fixed $35 per acre as an adequate and fair sum to be paid. It must be remembered that this project is essentially one for the benefit of the white residents of the State of New Mexico. It is of the utmost benefit to the city of Albuquerque and the railroad companies, which have many millions of dollars invested in railroad property. It is for the benefit of thousands of white settlers who are engaged in agricultural and industrial pursuits. That the project is a worthy one and should be carried out, I cheerfully concede. But I repeat that the enterprise is for the white man, and he will be the principal beneficiary.

In my opinion, the conservancy district should be satisfied with but a small consideration from the Government in behalf of the Indians. Considering the claims of the Indians that the valley was once theirs, that the waters of the Rio Grande had flowed over, upon, and through the lands of their forefathers for many hundreds of years; I say, considering all these things and the fact that the Pueblo Indians now own but a moiety of their former possessions and have received but little, if any, consideration for the lands now claimed and owned by the whites, this enterprise should be carried forward with but an inconsiderable charge imposed upon the Pueblo Indians. But the contrary is true. The bill as amended will impose a burden of approximately $150 per acre upon the Indian lands, which will be liable for the payment of the more than $1,593,311 to be advanced out of the Federal Treasury.

Mr. President, there is one aspect of this case that has been emphasized by the Senator from Wisconsin [Mr. LA FOLLETTE] and which is important enough to deserve further brief consideration. The Indian Bureau and the representatives of the conservancy district, in order to advance the project, represented to the Pueblo Indians that $593,311 of the advancement made by the United States Government should be regarded as a gratuity and not reimbursable by the Indians or from any Indian funds. The Indians were slow to give any indorsement to the conservancy project. When the costs were first reported from $25 to $40 per acre for the reclamation of their nonirrigated lands, there was an abatement of opposition, and, indeed, a disposition to give support to the project. Later, when the conservancy engineers estimated higher costs for the completion of the project, further consideration of the matter was required. Finally, the Indians assented to legislation which would impose upon the Indian lands that were to be brought under irrigation a charge of $67.72 per acre.

The Indian Bureau, as the hearings disclosed, supported that view, and aided in securing the assent of the Indians to legislation which imposed no greater burden than that just stated. A bill passed the Senate carrying this understanding into effect. The House reported the same provision, but an amendment was offered, without explanation, and adopted by the House, which changed the entire sum of $1,573,000 from a gratuity to a reimbursable obligation, and to a lien upon the lands of the Indians. The Pueblo Indians never assented to this bill. Indeed, since they have learned of this change they have protested vigorously against the passage of the bill. Their attorneys have wired objections, and Congress has been made aware of the fact that if the bill is passed in the form in which it now appears the Indians will charge the Government with perfidious conduct.

The bill as it came back from the House and as it was again reported from the Senate committee provides that $1,573,311, to be advanced by the Government, shall be reimbursed; that it shall be a charge upon the 15,000 acres, which it is claimed will obtain water for irrigation purposes. This sum will constitute a lien upon the 15,000 acres; but this proposition has been modified, if I understand the amendment offered by the Senator from Kansas [Mr. CURTIS].

This amendment provides that from the 15,000 acres which will, it is assumed, obtain water from the conservancy project when completed, 4,000 shall be subtracted and freed from the obligation to pay any proportion of the $1,593,311 appropriated by the Government to aid in the completion of the project. However, the result is merely to augment the burden placed upon the remaining 11,000 acres. This area will have to meet the entire payment and will be subjected to a lien until the entire obligation is discharged.

It is obvious that this enormous burden can never be paid, and that the lands sooner or later will pass out of the hands of the Indians. If the bill becomes a law with this amendment incorporated therein, it will mean that water for each acre of the 11,000 will cost $150. Manifestly, the obligation can never be discharged. It is preposterous to impose upon the land such a burden and to assume that it will be met. Under the bill as amended the white settlers obtain their water rights for $76 per acre. But this bill proposes to tax the 11,000 acres of Indian lands which it is alleged will be reclaimed and irrigated $150 per acre for water to irrigate the same.

The Senator from Kansas [Mr. CURTIS] when offering his amendment indicated, if I correctly interpret his remarks, that these 11,000 acres would be leased to white men. The conclusion was forced upon me from his statement that the Indians could never assume the burden of paying for the water, and that in the end they would lose both the land and the water. Those familiar with the reclamation of arid lands and the conversion of raw lands of the West into fields and farms

appreciate the hardships and burdens incident to the task. Notwithstanding the claimed fertility of the Rio Grande Valley, I do not hesitate to affirm that the lands which are to be irrigated under the conservancy project will not in this generation or the succeeding one be worth $150 per acre, including the appurtenant water right. There is evidence in the hearings that lands owned and farmed by the white settlers with primary water right range between $50 and $100 per acre.

Mr. President, the practical workings of this bill, if it shall become a law, will show the wide departure from the assumptions and hypotheses indulged in by some of its advocates. I hope I shall be pardoned for emphasizing the proposition that this conservancy measure is for the benefit of the people of Albuquerque and the railroads and the 50,000 inhabitants within the Rio Grande Valley. It will immeasurably benefit them, increase the value of their property, and materially add to their wealth. It will have the effect of diminishing the rights of the Indians, of jeopardizing the residue of their holdings; and will eventuate in their losing the 11,000 acres together with any water right appurtenant thereto, all of which is subject to the payment of a lien amounting to $150 per acre.

Mr. President, the Indians will lose through the operation of this bill, and the Government of the United States will never be reimbursed for the sum of $1,593,311, which it will be called upon to contribute under the terms of the pending bill. In my opinion, when the full implications of this measure are brought home to the Pueblo Indians they will experience a feeling of resentment and will regard themselves as victims of governmental betrayal.

Mr. President, as I perused the hearings and listened to the debates, I could not repress the thought that the bonds of the conservancy district which it is expected will be issued, depend for a market upon the Government contributing to the project the sum of $1,593,311. This large amount constitutes part of the amount required to carry out the plan of the district. When I first examined the hearings I was somewhat mystified at the frequent assertions that the Pueblo lands within the district were to be taxed at the rate of $67 per acre for the water rights which they were to obtain. At the same time statements were made that the water rights acquired by white settlers would cost them $76 per acre. I soon discovered that a fiction was brought into the discussion, and that it was intended to dull the sharp edge of any criticism that might emanate from those who were interesting themselves in behalf of the Indians. But I soon discovered that the 8,343 acres of lands now being farmed by the Indians, and which had primary water rights, indeed rights superior to any other lands in the entire valley, were being included within the estimated area of Indian lands that were to receive water rights under the conservancy project.

In other words, it was assumed, and it gave color and the appearance of equity to the proposition, that the Indians were to be treated in a more generous manner than white persons who obtained lands and water rights. In my opinion, it was most disingenuous to convey the impression that lands which had vested and unassailable rights were to be assigned to the same category as raw lands or at least lands upon which water had not been used for many years. The Indian lands, which have been farmed and irrigated for centuries, possess their own irrigation system. It may not be modern, but it supplies the necessary water for the production of abundant crops. Those who are acquainted with the West know that the early settlers constructed dams and canals and ditches and diverted the water from the rivers and streams for the irrigation of the lands which they were reclaiming. With the advent of more settlers the importance of additional lands for homes and farms was perceived. Engineers of standing devised improved methods for conserving the water and securing a more economic use of the same. In many instances reservoirs were constructed and the high waters impounded; secondary rights grew up and were recognized, but in all of these mutations and transitions the rights of the first settlers were recognized; their rights were primary and superior, and subsequent appropriators were relegated to a secondary and subordinate status. So the Pueblo Indians, tracing their rights for hundreds of years, may be placed in the same category.

But the fiction that the entire 23,000 acres of Indian lands were to be irrigated under the conservancy project, and only because of it, gave to it a prestige, and perhaps a moral standing, that it might not otherwise have enjoyed. But we now learn that the bill, as amended, places upon the 11,000 acres of lands owned by the Indians a burden of $150 per acre, whereas the water rights obtained by the white settlers will cost them but $76 per acre.

Mr. President, the advantages, and I am guilty of repetition, resulting to the city of Albuquerque, to the railroads, to the business and industrial enterprises of the Rio Grande Valley are so great that they could afford to supply, without cost, water for the irrigation of this 15,000 acres of Indian lands which it is claimed will obtain water when the conservancy project is completed. But in no event should any portion of the Indian lands be subjected to a higher charge than that placed upon the water rights acquired by the white settlers.

Mr. President, if the Government contributed but a million dollars to the enterprise, it would be acting in a generous manner toward the Indians. If the chief beneficiaries of the project—namely, the white inhabitants of the Rio Grande Valley—are unwilling to furnish to the Indians water for the 15,000 acres, then I am willing that the United States should appropriate a million dollars for the purpose of supplying the 15,000 acres of land owned by the Indians and not now irrigated, sufficient water for the irrigation of the same, the amount to be reimbursible extending over a long period of years. A contribution at this time of that sum should be all that the persons interested in the project should require under any circumstances. The cost per acre upon this basis would be $66.66. I submit that that is a heavy charge and one which will require many years for the Indians or their lessees to meet.

Perhaps I am not quite in accord with my friends, the Senators from Wisconsin [Mr. LA FOLLETTE] and North Dakota [Mr. FRAZIER]. As I understood them, they contended that the contribution of the Government above a million dollars should be regarded as a gratuity and not be reimbursable. My opinion is that if any contribution is to be made to the project by the Indians or by the United States, it should not exceed $1,000,000, and that amount should be repaid to the United States during a series of years by the Pueblo Indians, who would receive from and under the conservancy district a good and sufficient water right for 15,000 acres of lands owned by them. In my opinion, a proposition of this kind should be accepted by the conservancy district. A million dollars to be paid by the Government would give an impetus to the enterprise and enable the district to sell its bonds and push the work of construction to a speedy conclusion.

The remark has been made by the supporters of this bill that the Senate must accept the House amendment making the $1,573,000 reimbursable or the bill will fail. Mr. President, I do not accept that view. The House, in my opinion, will not defeat the bill. The Senate has a right to reject the amendment, and it should not be coerced by the threats of the bill's defeat into accepting a proposition which does not meet the judgment of the Senate.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. KING. I yield.

Mr. LA FOLLETTE. Does not the Senator feel that the Senate, if convinced that its previous action on Senate bill 700 was sound, should take every legislative step possible in order to bring about an acceptance of that position by the House?

Mr. KING. I agree with the Senator. The Senate is not required to abdicate its function. It is part of the legislative branch of the Government. The Senate has the right to insist upon a fair consideration of measures originating in the House or which are amended in the House and returned to the Senate. With respect to the amendment now under discussion which was offered in the House it is my opinion that the body at the other end of the Capitol, and I am offering no criticism whatever, has not had an opportunity to consider it or to pass upon it. The Senator from Arizona [Mr. HAYDEN], in supporting the amendment, invited our intention to a statute calling for reimbursability for expenditures made in behalf of Indians. Conceding that Congress in the past has adopted a policy requiring reimbursements for advances made to wards of the Government, it does not estop this or future Congresses from adopting a different policy. Legislative bodies may not claim the virtue of consistency. Congress is often illogical—I was about to say gloriously inconsistent—as most human beings are in their daily conduct and activities.

However, Mr. President, the situation presented in the matter before us finds no parallel in former legislation. The case is unique, and the situation requires rational and just and fair treatment. In my opinion, such treatment is not being accorded the Pueblos in the bill before us. Having promised the Indians, as was done by the Indian Bureau and by representatives of the conservancy district, that they would not be required to pay to the Government in excess of a million dollars, and having secured their assent to a plan, imposing upon them an obligation to that extent, we may not now, as I view the case, increase their obligations. Certainly this can not be done with-

out their consent. It would subject us to just criticism and to the charge of Punic faith if, over their protest, we should saddle them with an obligation of $1,593,311.

Mr. President, I would rather see this legislation fail than to give the Indians any just ground to charge that they had been betrayed. I would rather see it fail than to impose upon them the heavy load of paying more than a million and a half dollars to secure water for the irrigation of a few thousand acres of land. I can not help but feel that they are the owners of sufficient of the waters of the Rio Grande River to irrigate 23,000 acres of land. They are now receiving only sufficient for the irrigation of 8,343 acres. The water is in the river. Only a few generations ago their fathers appropriated sufficient of the waters of the river to irrigate all of the land which it is contended will be cultivated upon the completion of the conservancy project. At any rate, Mr. President, I can not bring my judgment to support this bill in view of the facts as I understand them. I shall, therefore, vote against it.

The senior Senator from New Mexico [Mr. BRATTON] is greatly interested in the measure. He has made a superb fight and has conducted himself, as have his colleagues, in an honorable manner. I have no criticism to make of the Senators from New Mexico. The fact that the senior Senator, who is one of my dearest friends, gives his support to this measure standing alone would lead me without investigation to support it. There is no man in the Senate for whom I entertain a higher regard than the senior Senator from New Mexico. May I say that his name and fame will pass the boundaries of his own State? The future, in my opinion, will have higher honors to bestow upon him. But, Mr. President, it is our duty to weigh the questions presented for our consideration. We can not shirk the responsibilities resting upon us. Having considered this measure as best I could I am compelled to vote against it and sincerely hope that the Senate will return the bill to the House so that the Members of that body may have full opportunity to consider all provisions of the measure in its present form, and the consequences if it should become law.

Mr. President, I confess to a feeling of sympathy and compassion for the red men of our country. Whenever measures are presented for our consideration involving them or their interests, I feel an added responsibility resting upon me. Knowing that the Indians have been exploited and robbed and plundered, I regard it as an imperative duty of the Government and of the legislative branch of the Government to defend and protect them and to adopt every proper measure that will contribute to their welfare and to their moral and material advancement.

Mr. President, those who are conversant with the history of the Indians of our country from the days of the landing of the Pilgrim Fathers to the present time will be forced to the conclusion that the white man has often proven a cruel and ruthless master. The Indians were regarded as savages, and too often white settlers were cruel and relentless toward them. I was interested in the statement made by the junior Senator from New Mexico [Mr. CUTTING] in reference to the Conquistadores. His position was, if I understood him, that the Spaniards were more generous and chivalrous in their dealings with the Indians than were the Anglo-Saxons who subsequently came to America. I shall not indulge in comparisons. We all remember the statement, oft repeated, that the Pilgrims when they first landed fell upon their knees and then upon the aborigines. The Spaniards who conquered Mexico and Peru and other parts of the New World were not merciful. Certainly they did not observe a high standard of chivalry. Speaking generally of these conquering forces, they carried on war in a merciless manner. Many of them were filled with avarice, and in seeking for gold and precious metals they cared little for human life. They exterminated the inhabitants of Haiti, Porto Rico, and many of the Caribbean Islands. Most of the peoples whom they encountered were docile and inoffensive, but they fell victims to the cruel treatment of the Spanish invaders. After destroying peoples, the black man from Africa was brought to the Caribbean Islands and to the mainland of the Western Hemisphere. There are some Spanish historians who do not defend the atrocities and cruelties of their countrymen.

If it were pertinent to the question under discussion, I think it could be demonstrated that in North America the Indians were often robbed and plundered and subjected to cruel and inhuman treatment. Their lands were taken from them; treaties were made only to be violated by the Government. They have been treated as an inferior race and subjected to the wrongs and indignities which puissant peoples inflict upon weak and backward races.

I believe that our Government should be just to the Indians and be a faithful guardian over them. Congress should be solicitous for their welfare and should adopt wise and humane measures that will contribute to their civilization and their spiritual, moral, and material development. The American people are proud of the achievements of their country and of the high station which it occupies among the nations of the world. We do not hesitate to criticize European nations possessing colonies and condemn, often in savage terms, the alleged acts of cruelty perpetrated by powerful nations upon the inhabitants of colonial possessions.

We have a trust which we may not ignore. There are more than 300,000 Indians under the control of the United States. Their rights must be protected. I repeat that the obligations of the trustee are sacred and must be discharged. We can no longer treat the Indians cynically and cruelly. We can not deprive them of their lands or violate treaties. We must adopt different methods of dealing with the Indians. In my opinion we have failed to solve the Indian problem and are largely responsible for the woes and sorrows and tragedies which have come into their lives and for the lack of progress made by those who should have been the objects of our deepest solicitude and care. It is time to appraise the results of our more than 100 years of guardianship. We need new teachers and new leaders to guide the United States in its relations with the Indians. We talk much of psychology and its application to our educational system. We need a new Indian psychology. If we could, so to speak, burn the books which have guided us in dealing with the Indians and set out upon new paths, it would be better for the Government and infinitely better for the Indians.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Edge	La Follette	Sheppard
Barkley	Ferris	McKellar	Shipstead
Bingham	Fess	McMaster	Smith
Black	Fletcher	McNary	Steck
Blaine	Frazier	Mayfield	Steiwer
Blease	George	Metcalf	Stephens
Borah	Gerry	Moses	Thomas
Bratton	Glass	Neely	Tydings
Brookhart	Gooding	Norbeck	Tyson
Broussard	Hale	Nye	Wagner
Bruce	Harris	Oddie	Walsh, Mass.
Capper	Harrison	Overman	Walsh, Mont.
Caraway	Hayden	Phipps	Warren
Copeland	Heflin	Pittman	Waterman
Couzens	Howell	Reed, Pa.	Watson
Curtis	Jones	Robinson, Ark.	Wheeler
Cutting	Kendrick	Robinson, Ind.	Willis
Deneen	Keyes	Sackett	
Dill	King	Schall	

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present. The question is upon agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment offered by the Senator from Kansas [Mr. CURTIS] as modified.

Mr. LA FOLLETTE. I ask that the clerk state the amendment pending to the amendment, and upon that question I ask for the yeas and nays.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The CHIEF CLERK. The modified amendment of the Senator from Kansas is, on page 3, line 20, to insert after the word "lands" the words "except such part thereof as the Indians shall themselves farm, not to exceed 4,000 acres."

At this point the Senator from Wisconsin proposes to insert:

But no collection for reimbursement from proceeds of leases of any Indian acres shall exceed in annual amount the payment made annually by white acres of like character toward the amortizing of the share of said white acres in the indebtedness of the middle Rio Grande conservancy district.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment of the Senator from Kansas [Mr. CURTIS] as modified. On that question the Senator from Wisconsin asks for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. Not knowing what his position would be on this matter, I transfer the pair to my colleague the junior Senator from Florida [Mr. TRAMMELL], who is unavoidably absent, and vote "nay."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. McLEAN]. In his absence I withhold my vote.

Mr. NYE (when his name was called). I desire to announce that on this question I have a general pair with the senior Senator from Missouri [Mr. REED]. I find that I can transfer the pair to the senior Senator from Nebraska [Mr. NORRIS], who is unavoidably absent. I make that transfer and vote "yea."

Mr. TYSON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. GOFF]. I transfer the pair to the junior Senator from New Jersey [Mr. EDWARDS] and vote "nay."

The roll call was concluded.

Mr. JONES (after having voted in the negative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I promised to take care of him with a pair. I understand, however, that he would vote on this question as I have voted. Therefore I will allow my vote to stand.

Mr. TYDINGS. I am paired with the Senator from Oklahoma [Mr. PINE]. I transfer that pair to the Senator from Delaware [Mr. BAYARD] and vote "nay."

The result was announced—yeas 14, nays 57, as follows:

YEAS—14

Blaine	Frazier	McMaster	Shipstead
Borah	Howell	Neely	Wheeler
Brookhart	King	Nye	
Copeland	La Follette	Schall	

NAYS—57

Ashurst	Edge	McKellar	Steiwer
Barkley	Ferris	McNary	Stephens
Bingham	Fess	Mayfield	Thomas
Black	Fletcher	Metcalf	Tydings
Blease	George	Moses	Tyson
Bratton	Gerry	Oddie	Wagner
Broussard	Gooding	Overman	Walsh, Mass.
Bruce	Hale	Phipps	Walsh, Mont.
Capper	Harris	Reed, Pa.	Warren
Caraway	Harrison	Robinson, Ark.	Waterman
Couzens	Hayden	Robinson, Ind.	Watson
Curtis	Heflin	Sackett	Willis
Cutting	Jones	Sheppard	
Deneen	Kendrick	Smith	
Dill	Keyes	Steck	

NOT VOTING—23

Bayard	Goff	Norbeck	Shortridge
Dale	Gould	Norris	Simmons
du Pont	Greene	Pine	Smoot
Edwards	Hawes	Pittman	Swanson
Gillett	Johnson	Ransdell	Trammell
Glass	McLean	Reed, Mo.	

So Mr. LA FOLLETTE's amendment to the amendment was rejected.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from Kansas [Mr. CURTIS], as modified, to the amendment of the House of Representatives.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on the House amendment as amended.

Mr. LA FOLLETTE. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as on the previous vote with reference to my pair and its transfer, I vote "yea."

Mr. GLASS (when his name was called). Making the same announcement with reference to my pair as on the previous vote, I withhold my vote.

Mr. JONES (when his name was called). Making the same announcement as I did on the previous vote with reference to my pair with the senior Senator from Virginia [Mr. SWANSON], who, I understand, would vote as I shall vote on this question, I vote "yea."

Mr. NYE (when his name was called). Repeating the announcement made on the previous vote with reference to my pair with the senior Senator from Missouri [Mr. REED], I find that I can transfer the pair to the senior Senator from Nebraska [Mr. NORRIS]. I make that transfer and vote "nay."

Mr. TYDINGS (when his name was called). On this vote I am paired with the senior Senator from Oklahoma [Mr. PINE]. I transfer that pair to the senior Senator from Delaware [Mr. BAYARD] and vote "yea."

Mr. TYSON (when his name was called). I have a pair with the junior Senator from West Virginia [Mr. GOFF]. I transfer the pair to the senior Senator from New Jersey [Mr. EDWARDS] and vote "yea."

The roll call was concluded.

Mr. REED of Pennsylvania (after having voted in the affirmative). I have a general pair with the Senator from Delaware [Mr. BAYARD], but I am authorized to say that if he were present he would vote the same as I have voted. Therefore, I allow my vote to stand.

The result was announced—yeas 59, nays 13, as follows:

YEAS—59

Ashurst	Edge	McKellar	Smith
Barkley	Ferris	McNary	Steck
Bingham	Fess	Mayfield	Steiwer
Black	Fletcher	Metcalf	Stephens
Blease	George	Moses	Thomas
Bratton	Gerry	Neely	Tydings
Brookhart	Gooding	Oddie	Tyson
Broussard	Hale	Overman	Wagner
Bruce	Harris	Phipps	Walsh, Mass.
Capper	Harrison	Pittman	Walsh, Mont.
Caraway	Hayden	Reed, Pa.	Warren
Curtis	Heflin	Robinson, Ark.	Waterman
Cutting	Jones	Robinson, Ind.	Watson
Deneen	Kendrick	Sackett	Willis
Dill	Keyes	Sheppard	

NAYS—13

Blaine	Frazier	McMaster	Wheeler
Borah	Howell	Nye	
Copeland	King	Schall	
Couzens	La Follette	Shipstead	

NOT VOTING—22

Bayard	Goff	Norbeck	Simmons
Dale	Gould	Norris	Smoot
du Pont	Greene	Pine	Swanson
Edwards	Hawes	Ransdell	Trammell
Gillett	Johnson	Reed, Mo.	
Glass	McLean	Shortridge	

So the amendment of the House of Representatives as amended was agreed to.

THE CALENDAR

Mr. CURTIS. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business to-morrow the morning hour be devoted to the calendar for the consideration of unobjected bills, commencing where we left off on the last call of the calendar.

Mr. ROBINSON of Arkansas. Mr. President, a number of Senators have indicated to me a desire that such an arrangement shall be made. I have no objection to it.

The VICE PRESIDENT. Is there objection? 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 five minutes spent in executive session the doors were reopened, and the Senate (at 5 o'clock and 17 minutes p. m.) adjourned until to-morrow, Friday, March 2, 1928, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 1, 1928

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

David E. Kaufman, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States of America to Bolivia.

PUBLIC HEALTH SERVICE

Surg. Leslie L. Lumsden to be senior surgeon in the Public Health Service, to take effect from date of oath, in place of Senior Surg. Henry S. Mathewson, deceased.

UNITED STATES ATTORNEY

Joseph A. Tolbert, of South Carolina, to be United States attorney, western district of South Carolina. (A reappointment, his term having expired.)

UNITED STATES MARSHAL

Samuel L. Gross, of Texas, to be United States marshal, northern district of Texas. (A reappointment, his term having expired.)

CONFIRMATIONS

Executive nominations confirmed by the Senate March 1, 1928

MEMBER FEDERAL BOARD FOR VOCATIONAL EDUCATION

Perry W. Reeves to be a member of the Federal Board for Vocational Education.

UNITED STATES MARSHAL

Douglas Smith to be United States marshal, middle district of Alabama. Reappointment.

POSTMASTERS

ALABAMA

Charles L. Jackson, Ashford.
Oliver P. Williams, Henagar.

William A. Giddens, Jones Mills.
Ora B. Wann, Madison.
Thomas C. Latham, Marvel.

COLORADO

Bessie Salabar, Bayfield.
Alice A. Blazer, Elizabeth.
John C. Straub, Flagler.
Ben H. Glaze, Fowler.
Paul C. Boyles, Gunnison.
Edward F. Baldwin, Nucla.
John R. Munro, Rifle.

CONNECTICUT

Marshall Emmons, East Haddam.
Sidney M. Cowles, Kensington.

FLORIDA

Mary Conway, Green Cove Springs.

KANSAS

Harry Morris, Garnett.
Joseph V. Barbo, Lenora.
Forrest L. Powers, Le Roy.
George J. Frank, Manhattan.
Nora J. Casteel, Montezuma.
Anna M. Bryan, Mullinville.
Andrew M. Ludvickson, Severy.

MASSACHUSETTS

Fred C. Small, Buzzards Bay.

MICHIGAN

Melvin A. Bates, Grayling.
Patrick O'Brien, Iron River.
Wilda P. Hartingh, Pinconning.

MINNESOTA

Ernest J. Grunst, Alpha.
William Peterson, Atwater.
George E. Anderson, Austin.
Philip P. Palmer, Backus.
William F. Priem, Bellingham.
Agnes Doyle, Bovey.
Christ Bottge, Correll.
Ida V. Lund, Farwell.
Charles J. Johnson, Garfield.
Oscar W. Erickson, Kensington.
Herman C. Rustad, Kerkhoven.
Cline C. Barker, Kinney.
Bennie C. Vold, Maynard.
Clarence J. Hertzog, Proctor.
Edwin Nelson, Wendell.
Joseph Trojohn, Woodlake.
Milton P. Mann, Worthington.
Henry Groth, Wright.

MISSOURI

Edward A. Birkmann, Beaufort.
James D. Kochel, Canalou.
Ethel M. Cozean, Elvins.
George Thayer, Flemington.
Samuel H. Hudson, Granby.
Joseph P. O'Hern, Hannibal.
John M. Schermann, Hermann.
Hattie Stierberger, Union.

NEW YORK

John G. McNicoll, Cedarhurst.
Elmer C. Wyman, Dover Plains.
Margaret T. Sweeney, East Islip.
John E. Duryea, Farmingdale.
Wallace Thurston, Floral Park.
Ruth W. J. Mott, Oswego.
Fred L. Seager, Randolph.
Elmer Ketcham, Schoharie.
Ralph C. Reakes, Truxton.
John T. Gallagher, Witherbee.

NORTH DAKOTA

William H. Lenneville, Dickinson.
Charles L. Erickson, Lankin.

OHIO

Arthur L. Vanosdall, Ashland.
Edward M. Barber, Ashley.
Charles E. Kniesly, Bradford.
Charles R. Ames, Bryan.
Andrew L. Brunson, Degraff.
Wade W. McKee, Dennison.
Ida H. Cline, Kings Mills.
William H. Snodgrass, Marysville.
Clem Couden, Morrow.
La Bert Davie, New Lexington.
George B. Fulton, North Baltimore.
Iris L. Bloir, Sherwood.
Charles O. Eastman, Wauseon.
Ben F. Robuck, West Union.

OREGON

William A. Morand, Boring.
Elmer F. Merritt, Merrill.
William I. Smith, Redmond.

PENNSYLVANIA

Harry C. Myers, Holtwood.
John H. Francis, Oaks.
A. Milton Wade, Quarryville.
Newton E. Arnold, Roslyn.

TENNESSEE

William F. Osteen, Chapel Hill.
Ben M. Roberson, Loudon.
Peter Cashon, Dukedom.

TEXAS

Charles H. Bugbee, Clarendon.
Gustav A. Wulfman, Farwell.
Theodor Reichert, Nordheim.
Silas J. White, Rising Star.

UTAH

Ivor Clove, Enterprise.

WEST VIRGINIA

James T. Akers, Bluefield.
Josephine B. Marks, Walton.

HOUSE OF REPRESENTATIVES

THURSDAY, *March 1, 1928*

The House met at 12 o'clock noon.

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

O God of wisdom, God of love, we thank Thee for a faith that rises to a high certainty. We praise Thee that we are enfolded within the arms of Thy eternal mercy. We are so grateful that Thy beloved Son has swept aside all ideas of a throne of iron, of law, of icy intellect, of marble heart, and reflected Thee as a loving Father. Oh, the wonderfully rich meanings of that word! They could never be conveyed by power, intellect, or authority, but they are easily set forth by the deep sentiments which cluster about the word "Father." We are Thy children. Thou dost help us to meet despondency with courage, disappointment with resignation, weakness with strength, and fear with hope. Oh, this life with its tasks and opportunities, with the mighty day in which we live! Forbid that it should be to us just a partial eclipse of doubt and dueling, but a call, a high-sounding call to God and our country, in whose mirrors we shall be judged. 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 without amendment the bill (H. R. 5818) authorizing J. H. Peacock, F. G. Bell, S. V. Taylor, E. C. Amann, and C. E. Ferris, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

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

S. 2820. An act authorizing the Secretary of War to loan certain field guns to the city of Dallas, Tex.

SENATE JOINT RESOLUTIONS AND BILL REFERRED

Joint resolutions and a bill of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred to the appropriate committee, as follows:

S. J. Res. 23. Joint resolution 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 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;

S. J. Res. 72. Joint resolution to grant permission for the erection of a memorial statue of Cardinal Gibbons;

S. J. Res. 98. Joint resolution authorizing the selection of sites and the erection of monuments to John Bunyan and William Harvey in Washington City, D. C.; to the Committee on the Library.

S. 2820. An act authorizing the Secretary of War to loan certain field guns to the city of Dallas, Tex.; to the Committee on Military Affairs.

THE LATE HON. A. E. B. STEPHENS

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, the 11th day of March, at 2 p. m. o'clock, be set apart for addresses on the life, character, and public services of the Hon. A. E. B. STEPHENS, late a Representative from the State of Ohio.

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

There was no objection.

The order was agreed to.

CONTESTED-ELECTION CASE OF HUBBARD *v.* LAGUARDIA

Mr. COLTON. Mr. Speaker, I am directed by the Committee on Elections No. 1 to call up a privileged resolution and ask for its present consideration.

The SPEAKER. The gentleman from Utah calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 128

Resolved, That Hon. FIORELLO H. LAGUARDIA was duly elected a Representative from the twentieth congressional district of the State of New York to the Seventieth Congress and is entitled to his seat.

The resolution was agreed to.

WAR DEPARTMENT APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

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

Mr. GARRETT of Tennessee. This is agreeable to the minority?

Mr. BARBOUR. I have taken it up with the minority Members and it is agreeable to them.

There was no objection.

The Chair appointed the following conferees: Messrs. BARBOUR, CLAGUE, TABER, HARRISON, and COLLINS.

LEAVE OF ABSENCE

Mr. COOPER of Ohio. Mr. Speaker, I have been requested to announce the absence of my colleague the gentleman from Ohio, Mr. TATGENHORST, on account of illness.

GEN. ARMANDO DIAZ

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

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

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, with profound sorrow I announce to the House that taps has sounded again in the camp of one of the allied nations with which we were associated during the World War. This time it has called to the last muster Gen. Armando Diaz, who was commander in chief of the allied forces at the Italian war front.

It may be truly said of this great general that he was "the noblest Roman of them all." General Diaz assumed command of the forces at the Italian front after the Caporetto drive. It was he who turned a crushing defeat into an unrelenting offensive. It was the plan then of the Central Powers to break through that front in order to attack France on the south, and not only establish another front, but release a great many divisions from the Italian front over to the western front. Diaz maintained the line at the Piave, and from that moment not only stopped the offensive, but started a counter offensive which never stopped until the entire defeat and surrender of the Austrian forces. The Diaz defense saved the day for the Allies. The Diaz offense made final and complete victory possible.

It was the privilege of but a very few Americans to serve under his command. It was in the month of June, of 1918, that the first detachment of American aviators reported to him for duty. Italy had trained some 750 American boys in flying, and but 60 of us were sent for active duty on the Italian front.

This detachment of 60 American flyers were received by General Diaz with the same cordiality and enthusiasm as if it had been a complete division of troops. The same day he personally visited each aviation field where the American boys were distributed for duty.

General Diaz visited this country a few years ago, was made an honorary citizen of the city of New York and other cities of the United States. He was an honorary member of every military organization of this country. In his death his country has lost a great patriot and a great soldier; this country has lost a good friend, and the American soldier has lost a real buddy.

SUBCOMMITTEE OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on the District of Columbia, making a survey of the government of the District, may sit this afternoon and to-morrow during sessions of the House.

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

There was no objection.

PRESENTATION TO HON. LISTER HILL

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD my own remarks made on presenting a beautiful silver tray to the Hon. LISTER HILL, of Alabama, before the Committee on Military Affairs, on the occasion of his marriage recently.

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

There was no objection.

Mr. McSWAIN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert the following proceedings on the presentation of a silver tray by the members of the Committee on Military Affairs of the House of Representatives to Hon. LISTER HILL, of Alabama:

Mr. REECE. Mr. Chairman, I suggest that Mr. McSWAIN has a matter of importance which he might with propriety bring up at this time.

Mr. JAMES. I thought that you withdrew that bill. We voted that other bill out, did we not?

Mr. McSWAIN. Mr. Chairman, there are certain things I do not like to do behind closed doors. I want the public to know where I stand on certain things.

Last week, while the gentleman from Alabama was away, he wired to several members of this committee importuning us not to take action on Muscle Shoals until he returned; and it was well that he did so importune us, because we were just ready to act, and would have acted in a very few minutes but for the fact that we got his wire. [Laughter.] His influence with the committee is so great that we postponed action until he could arrive.

Gentlemen, when a member of this committee or any Member of the House, or any man anywhere, decides to put old things behind him and to declare, "Behold, all things are new," it is such an event in the life of man that it is well that it should be marked in some way; that some sort of landmark should be erected; and the members of this committee evidently have decided to put such a landmark just at this stage in the life of our friend, Mr. HILL of Alabama.

We later found out why he was away from our midst and why it was necessary for him to see that action should be postponed. It is evident that he himself did not postpone action while he was away, and in order to mark that notable event in his life we have decided to present to him this token of our esteem and regard, that he and his may know that we not only love him but that we fraternally sympathize with him at this stage in his life. [Applause.]

We picked this [exhibiting silver tray] not only for its beauty but also for its utility and for the fact that it will last through the coming generations, in order that his children, his grandchildren, and his great-grandchildren may find this testimonial of the esteem and regard and, in fact, love that we have for him.

This bears the inscription, "Presented to Hon. LISTER HILL by the members of the Committee on Military Affairs, House of Representatives, Congress of the United States, February 20, 1928." For fear that he might forget the significance of February 20, 1928, we have marked that date rather than this date (February 28, 1928) as the date of presentation. On behalf of the members of the committee, Mr. HILL, we present this tray to you and to your bride. [Applause.]

Mr. HILL. Mr. Chairman, and my colleagues of the committee, I assure you that I deeply appreciate this very beautiful present so graciously presented to me from you by my good friend Mr. MCSWAIN.

Of the many beautiful expressions of friendship that have come to me in these past few days, nothing has touched me more or will be a sweeter memory to me than this very beautiful present. I am sure that Mrs. Hill will share in my appreciation, and I shall look forward to the pleasure of bringing her here to the committee at a very early date and presenting her to each of you, and letting her, too, have the opportunity and the pleasure of thanking you. From the depths of my heart I thank you. [Applause.]

SAMUEL GOMPERS

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 88, authorizing the erection on the public grounds of the District of Columbia of a stone monument as a memorial to Samuel Gompers. The House committee has acted favorably on the resolution.

The SPEAKER. The Clerk will report the title.

The Clerk read the title, as follows:

Senate 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.

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

There was no objection.

The Clerk read the Senate joint resolution, 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.

Mr. LUCE. Mr. Speaker, it is hardly necessary for me to say that Samuel Gompers was an outstanding American citizen. He was not only a faithful and capable representative of the interests that he so long championed but also he contributed sound judgment to the solution of many vexed problems affecting the welfare of the people of the United States. In view of this, it may be well made a matter of record that your committee believes the commemoration of his services by the erection of such a monument in the Capital of the Nation will be fitting and commendable.

The SPEAKER. The question is on agreeing to the resolution.

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

EDGAR WALLACE

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting some comments on the death of the late Edgar Wallace, legislative representative of the American Federation of Labor.

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

There was no objection.

Mr. BANKHEAD. Mr. Speaker, a vast number of the Members of the House who knew him well and loved him greatly, were profoundly grieved over the sudden and unexpected passing away of Edgar Wallace. For a number of years he had been the legislative representative of the American Federation of Labor at the Capitol, and in that capacity he had come into intimate contact with most of the Members of the House. The great organization for labor, to which he gave the best and last years of his life acted with great wisdom in selecting Edgar Wallace for the very responsible position he held. It was a trust that required for its proper exercise a rare combination of sound judgment, dignified diplomacy, and the knowledge of his mission in all its details. All of these qualifications to an unusual degree Mr. Wallace possessed.

He knew as few men did the cause of the workingman. In his own experience he had run the whole gamut of the man in overalls. He knew its toil, its hardships, its inequalities of opportunity as well as its dignified, though limited, compensations. During the long course of his affiliation with the workers of America he had not only shared the rigors of men who toil as an actual laborer himself, but he had also been part and parcel of that splendid leadership which had fought for the principle that "labor is not a mere commodity of commerce," and he happily lived to see the principle not only recognized but amplified in the statutes of his country. To that accomplishment no man added more than Edgar Wallace. He was equipped for his task. He had sweated in the grime of the coal pit. He knew the cause of the toiler. He was editor of a great labor journal. He served in the World War. He was the protagonist for a cause. He was an able advocate for the uplift of humanity.

His counsel on labor problems was of great value to the committees of Congress in framing legislation. They had confidence in the man. They respected his candor and his courage and gave great weight to his conclusions.

This man who has gone at last to rest from his toil has served well his day and generation. He was a real crusader for justice, and I feel honored to have enjoyed the privilege of his friendship. In his going away his great organization has met an irreparable loss, Congress is deprived of a dependable counsellor, humanity is deprived of the service of an earnest advocate, and many of us have lost a cherished friend. Peace to the soul of Edgar Wallace.

REVISION OF REMARKS

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to propound a parliamentary inquiry relative to the business of the House. I think it is a parliamentary inquiry, at least it will be stated in a parliamentary way. Every once in so often some question arises as to just what liberty there is in the revision of remarks by inserting in the RECORD matter that occurs in the course of a colloquy between Members. I think it would be informing to the House if our memories could be refreshed by having from the Chair a statement in the nature of a ruling, such as lies within the power of the Chair touching this question. I therefore propound the inquiry as to what liberty is allowable in the revision of remarks in the matter of making insertions in colloquies?

The SPEAKER. The Chair thinks that the inquiry of the gentleman from Tennessee is timely and pertinent. A few days ago the question arose, but the Chair was not called upon to decide it because unanimous consent was asked and given. The Chair at the time took occasion to look up the precedents and has one or two before him.

The Chair is not advised of any rule of the House that covers the situation directly. The general theory as to the revision and extension of remarks can be put in this language: Although a Member has the right to revise his remarks with the approval of the Speaker, he has not the right to extend those remarks except in the case where the House has expressly given permission to do so.

That has been held by several speakers, among them Speaker Kiefer and Speaker Randall. Therefore in order to extend remarks the Chair thinks that permission must be given by the House; but on the question of revision of remarks a Member may do so without permission of the House, but must have consent of the Speaker.

On a further development of the question, where remarks are made in colloquy during the running debate, what is the proper rule with reference thereto? The present occupant of the chair on May 17, 1926, ruled as follows in response to a parliamentary inquiry:

Generally speaking, the Chair understands the rule to be that a Member in the course of debate may not alter any language that he used which affects the context or affects the remarks of the gentleman who interrupts him.

There are quite a number of decisions upon which that decision was based, all primarily laying down the proposition that a Member may not revise his remarks in such a way as to affect the remarks of another.

The Chair thinks that the mere change of a word or two could be made in the remarks during colloquy, but that change must not be such as would affect the position of either gentleman engaged in the debate, or the purport of the debate. Mr. Speaker Reed on December 13, 1897, said:

It has always seemed to the Chair that when the RECORD was to be corrected, and where there was a controversy upon a particular point, either the correction should be made with the consent of the other Member or Members participating or should not be made at all.

Mr. Speaker Randall on one occasion said:

I think it wise that permission in such cases should be under the control of the Chair.

On the whole, the Chair thinks that under the precedents the proper procedure should always be that no correction be made

in the remarks made during a colloquy between Members which would in any way affect the position of either Member, without the approval of the other.

Mr. BEGG. Mr. Speaker, will the Chair tell the House just what right a Member has after he secures the right to revise and extend his remarks? What does the phrase "extend my remarks" mean, in the judgment of the Chair?

The SPEAKER. The Chair thinks that if the remarks are not made in colloquy, the Member may extend to any reasonable extent.

Mr. BEGG. Does that mean his own remarks, or does that carry with it authority to put anything in that the Member wants to put in? That is the question I desire to raise. In other words, if I secure the privilege to extend my remarks, is there any limitation upon me as to what I can put in the RECORD in the nature of a newspaper or magazine article or anything else?

The SPEAKER. The Chair thinks that extension is limited to an extension of the remarks the gentleman himself makes, and that specific authority would be necessary to extend remarks by printing newspaper and magazine articles or other documents. The Chair thinks a Member would not have that right unless he receives specific authority from the House.

Mr. BEGG. Then it is the judgment of the Chair that every Member who incorporates other than his own remarks in an extension, without specific permission, is technically violating the privilege?

The SPEAKER. The Chair thinks so.

Mr. LAGUARDIA. The Chair suggested that where a Member desires to revise his remarks, which, I take it, means polishing them up so that they read smoothly, the permission of the Speaker should be obtained.

The SPEAKER. That is the general rule.

Mr. LAGUARDIA. Should that request be made as a matter of record, the same as permission to extend is obtained from the House, or is a mere informal request to the Speaker sufficient?

The SPEAKER. The Chair thinks it is an informal matter.

Mr. CASEY. Mr. Speaker, I rise to ask for information. In view of the ruling the Speaker has just made with respect to the extension of remarks in the RECORD, I would like to ascertain if under this ruling I had the consent of the House to extend certain matters in the speech which I made on the coal miners' strike some time ago. Members will recall that I stated during my remarks that I quoted from certain documents and stated I did not have sufficient time to complete my address, but that under the leave granted me to extend I would insert copies of injunctions and other matter which I mentioned on the floor of the House at the time. The insertion of copies of injunctions and the other matter of which the Members were so anxious to get copies were not my own personal remarks, but I incorporated them in the speech I delivered under the leave of the House to extend. In view of the decision the Speaker has just made, I am wondering whether I am within the rule.

The SPEAKER. The Chair does not recall the precise form of the request, but if the gentleman asked and obtained permission to extend his remarks by incorporating various documents to which he referred, he would undoubtedly have the right to do so.

Mr. CASEY. I did that, and I called attention to the documents that I would insert.

The SPEAKER. Then unquestionably the gentleman had the right to extend his remarks in the manner in which he did.

Mr. CASEY. Mr. Speaker, in view of the ruling just made upon the question of the right of Members to add language into the remarks of another Member of the House, without his consent, during a running debate, the Speaker stated that the question arose the other day, but that he was not called upon to decide it. Mr. Speaker, that is correct. I raised the question, and the reason I did not call upon the Speaker to render a decision at that time was that I understood the gentleman from Nebraska [Mr. SIMMONS], while addressing the House, to say that he believed he had the right to do what he did. Other Members of the House who have talked to me about this matter say they understood him to have used the word "believed." Believing that the gentleman from Nebraska had used the word "believed" I took it as an admission on his part that he had violated the rules of the House and I, therefore, did not press for a decision on the question by the Speaker, but when I read the RECORD the following morning I found that instead of using the word "believed" he used the word "believe." He is recorded as saying:

> I believe that I was entirely within the rules.

I had proposed to ask the Speaker to rule on this question, but in view of the fact that the gentleman from Tennessee has already done so, and the Speaker having ruled that the question I raised the other day was a violation of the rules of the House, I have nothing further to say about it.

The SPEAKER. The Chair holds that where remarks are made during a colloquy or debate, no change is permissible in the remarks either of the gentleman himself or the gentleman with whom he was engaged in debate without the full consent and approval of the other gentleman.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that on to-morrow, Friday, immediately after the reading of the Journal and the disposition of business on the Speaker's table, I may proceed to address the House for 15 minutes.

The SPEAKER. The Chair will call the gentleman's attention to the fact that this would be a special order to follow the gentleman from New York [Mr. SIROVICH] on Friday. The gentleman from Mississippi asks unanimous consent that, following the remarks of the gentleman from New York, he may address the House for 15 minutes. Is there objection?

Mr. SNELL. Reserving the right to object, Mr. Speaker, would the gentleman be willing to take that time on the general debate on this bill?

Mr. RANKIN. I will state to the gentleman that I am not willing to divide the time in the general debate to that extent.

Mr. SNELL. To-morrow we hope to finish up the appropriation bill. I think we have been very generous in the allotment of time in general debate, and the gentleman can ask for the special privilege while we are reading the bill.

Mr. RANKIN. This a matter that does not come within the exact scope of the agricultural appropriation bill. I usually do not make long speeches, and I am only asking now for a few minutes. But if I can not have this time and there is any objection I would prefer to take it on another day.

Mr. SNELL. The gentleman can take it under general debate.

Mr. RANKIN. I prefer not to ask it under general debate.

The SPEAKER. Is there objection?

Mr. SNELL. I object.

The SPEAKER. Objection is heard.

REVISION OF REMARKS

Mr. CHINDBLOM. Mr. Speaker, may I say a word in regard to the matter that has just been discussed? The rules of the House, and I think the precedents, do not have any specific provision with reference to incorporating other matters than the Member's own remarks under leave to extend, but I recall that during the last Congress on a number of occasions objection was made to the granting of leave to extend unless the request was coupled with the proviso that the extension should include only the speaker's own words; and at that time the Speaker announced that he would like to have it understood that whenever a request was made for leave to extend, it would include only the remarks of the Member making the request, unless it was specifically stated at the time that other matter would be included in the extension. In the absence of a rule or in the absence of a precedent definitely making that the practice, it seems to me it would be well during this Congress to have the understanding that whenever a request is made for leave to extend, it shall include only the Member's own remarks, unless the request specifically provides for the inclusion of other remarks.

The SPEAKER. The Chair thinks the gentleman is correct. The Chair thinks it is unquestionable that that is the practice, that where merely the general request is made to have the privilege to revise and extend, a Member may not incorporate anything except his own remarks, and the only circumstances under which he can insert something other than his own remarks is where he asks specific leave and refers specifically to the documents he desires to insert.

Mr. CHINDBLOM. Let us hope that practice will be followed.

AGRICULTURAL APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11577, the agricultural appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Massachusetts [Mr. TREADWAY] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11577, the agricultural appropriation bill, with Mr. TREADWAY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration

of the bill H. R. 11577, the agricultural appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11577) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1929, and for other purposes.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield myself 30 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 30 minutes.

Mr. DICKINSON of Iowa. Mr. Chairman and gentlemen of the committee, it is my purpose during the 30 minutes I have here to divide my time into three parts and to discuss three topics in my discourse. First, I want to explain a little something about the expansion of the agricultural program as it is involved in the present appropriation bill; second, I am going to try to show that I am not inconsistent in any of my statements or declarations, so far as the protective-tariff policy is concerned; and, third, I am going to make just a few remarks with reference to the necessity of the equalization fee in the farm relief legislation.

When this subcommittee of the Committee on Appropriations began its hearings of the estimates of the Budget for the next fiscal year it found there was an expansion program for research that has been asked for by various farm organizations and other associations interested in farming and farm products. On account of this we found it was necessary to have more extensive hearings than have heretofore been held on an agricultural appropriation bill, because this expansion in research work has to do with trying to help solve the farm questions of this country. In other words, we find that the blueberries in Maine have their maggot troubles, that the corn in Iowa has the corn borer, that the vegetable has its bug, that the apple has its canker, and that cotton has its weevil. We have gone over the whole list and made an effort to expand the research work of the Department of Agriculture in such a way as to attempt, at least, to meet many of the perplexing problems that are now facing the people who are producing food commodities in this country. That being the case, we have had more extensive hearings. We have gone into the various items carefully and we have brought in a bill which I believe is an effort, at least, to reach out and determine whether or not there is a remedy for the various plagues that beset the farmer in the matter of the producing of his crops.

However, we found a great many Members of the House who believe that when you start any research work in the Department of Agriculture it never stops, but such is not the case. We have put in the RECORD a statement showing that numerous agricultural projects have been started and have been concluded. The findings have been published and the record is there for the benefit of those interested in the production of the particular commodity. So when you start a research project it is not a continuous project from then on, but there comes a time when the department says its work has been closed; it has done all it can do, and for that reason it is ready to make a final report and close that project.

In my judgment the Department of Agriculture has gone a long way in making a great many of the producers of this country know what is the difference between profit and loss. They have taken the old apple orchard that was useless for producing fruit and have made a profitable project out of it by reason of the spraying process. They have gone into creameries; they have gone all along the line and they have determined the best methods by which the producer of any commodity can be sure he will have a fair crop and thereby have something as a reward for his labors.

I believe this is a very comprehensive start on a new research program in the Department of Agriculture.

In my judgment, it is a worthy project and it ought to be carried on. The subcommittee and the Committee on Appropriations in ratifying the report of the subcommittee has been very liberal in its allowances for these various projects. For instance, a great many people did not know there was a bee business in this country until the gentleman from Louisiana appeared before the committee and asked for a special appropriation to permit his people to discover a method by which they can box up hives of bees and ship them from Louisiana to the Northern States, where they can not raise so many bees on account of the cold weather. We are giving them a little consideration by reason of the fact that the State of Louisiana has been affected by deflation and floods more, probably, than any other State in the Union. I could go on and cite various other instances, but I am hoping that with this explanation you will read the report filed with this bill and see the effort this committee has made to reach out and solve these various difficulties. It seems every vegetable has its pest; that every fruit has some handicap in its production; that the old cornfield is no longer sure, after it has been planted, that it is going to produce a crop of corn, and that cotton is no longer a certain crop. For that reason we must reach out into these various endeavors and do the best we can to determine whether or not we can make it more certain that a good crop is going to be produced when a field is once planted in any vegetable, cereal, or grain. I am not going into a detailed discussion of the items of this bill, because that will come under the five-minute rule, at which time we will give you any information we have secured. It is all in the report and in the hearings. Therefore, I am not going into a detailed consideration of the various items.

In my judgment, this committee has done something toward establishing farm relief. Some of you have heard something about farm relief, and we have done something toward starting farm relief in this piece of legislation now before this committee. [Applause.]

For some reason—and I notice it was again brought up on the floor of the House yesterday—there seems to be a misunderstanding as to certain votes cast by certain Members on the Republican side of the House with reference to an appeal from the decision which was laid on the table. It has been mentioned by the gentleman from Alabama [Mr. BANKHEAD]; it has been mentioned by the gentleman from Arkansas [Mr. OLDFIELD]; it has been mentioned before the Committee on Agriculture by the gentleman from Texas [Mr. JONES] and by the gentleman from Texas [Mr. CONNALLY].

Now, as a matter of fact, I have never had any trouble with my record as being an inconsistent record. I have always been for protection. I am for protection now. The Democrats are largely coming over into the protection camp and the only question is as to how fast will they come and how fast can they get in under the protective policy. That is all. [Applause.]

Mr. MANSFIELD. No; there is another question, if the gentleman will permit.

Mr. DICKINSON of Iowa. There are a good many. I have only a short time, and therefore I do not want to be interrupted.

Next, there have been certain declarations with reference to what is going to happen on the tariff, and there has never been any question about where certain Members stood with reference to a protective tariff, and I do not believe there is any question now, even in the minds of the Democrats where most of the Members stand. But when we came in here on a question of appeal from the decision of the Speaker of the House of Representatives as to where a resolution should finally rest, it was decided that it should go to the Clerk of the House. The Democrats wanted to force it to the Ways and Means Committee. It was concluded by the organization of the House that it should rest with the Clerk of the House, and they asked the Republicans of the House to vote accordingly to maintain the Republican organization of the House, and I voted with them. [Applause.] Why? Because the very position I hold in the House is on account of the fact that there are enough Republicans in the United States to keep enough Members of Congress here on this side of the House so that the gentleman from Illinois can be chairman of the Committee on Appropriations and I can be chairman of one of the subcommittees, and I am very pleased to have the distinction of serving in this session of Congress on the subcommittee having in charge the agricultural bill.

Mr. MADDEN. I want to say to the gentleman and to the House that the gentleman has made a great record as chairman of that committee. [Applause.]

Mr. DICKINSON of Iowa. I thank the chairman of the committee.

Mr. BANKHEAD. Did I understand the gentleman to say——

Mr. DICKINSON of Iowa. I do not want to yield just now. I will attend to the gentleman from Alabama before I get through, because I have a few remarks I am going to make with reference to his speech.

Mr. BANKHEAD. I am very glad to hear that.

Mr. DICKINSON of Iowa. Do not worry, I will take care of it. [Laughter.]

As a matter of fact, when that resolution came over here from the Senate it was not a resolution for the adjustment of tariff schedules. It was a resolution for an adjustment of tariff schedules downward, and it did not specify any schedules, as I remember.

Now, I am not for a revision of the tariff downward on agricultural schedules. I have never been for a revision of the tariff downward on agricultural schedules, and I still stand

by the record that I made and the statement I made with reference to the adjustment of the tariff schedules.

I think some of the schedules are too high, and when the proper time comes I shall vote, if I have an opportunity to vote, to see that there is an adjustment made with reference to those schedules; but will you tell me wherein any tariff schedule was involved in the resolution that now rests with the Clerk of the House? Is it any more notice to the Ways and Means Committee if it rests within the archives of their own committee than it is when filed with the Clerk of the House? Why? Because it is the record of the United States Senate. It is the judgment of the United States Senate. It is their declaration that they would like to see some adjustment of tariff schedules, and when it comes over here and rests with the Clerk of the House it is not only notice to every member of the Ways and Means Committee but it is notice to every Member of the House, on both the Democratic and the Republican sides, that such is the declaration of the United States Senate on the tariff question. Therefore, the Ways and Means Committee is just as much charged with the responsibility of carrying out that resolution, if they want to, when it is resting with the Clerk of the House, as though it rested with the clerk of the Ways and Means Committee.

I want to say to my good friends on the Democratic side, if you are going to make a campaign issue you had better find something more than simply a reference of a resolution of the United States Senate before you charge the Republican Members with bad faith, because they were simply carrying out a decree and a decision of their Speaker, and they were supposed to stay by the organization of their side of the House because it is the organization by which they hold their preference in this House.

Mr. MADDEN. I assume also that when we revise the tariff we want to revise it ourselves and not let the Democrats do it.

Mr. DICKINSON of Iowa. Yes; I am for that.

Now, one thing more. It was also said when I introduced my resolution for an increase of tariffs on agricultural commodities that it was inconsistent with my vote to send to the Clerk of the House the resolution of the Senate. Let us see about this. You know and I know that the Ways and Means Committee had already reached a decision that there should be no general revision of tariff schedules. This being the case, there is only one of two ways you can approach the tariff problem, that is either to raise the schedules on the things upon which we can agree or to reduce the schedules on the things upon which we can agree.

Now, as a matter of fact, I believe every Democrat will admit that if you should try to reduce any schedules you would not be able to get it through. As a matter of fact, if you got it through both the House and the Senate, you probably could not get it signed by the President. So what is the use of trying to do a foolish thing and say to the country that we are going to try to reduce a lot of tariff schedules when, as a matter of fact, you know, and all of you knew at the time you voted on the appeal from the decision of the Chair on the tariff resolution, you were not able and would not be able to get a reducing-tariff program through this House.

Mr. BULWINKLE. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. BULWINKLE. Assuming for the sake of the argument that what the gentleman says in regard to the tariff is true, then does not that same situation apply to his support of the McNary-Haugen bill?

Mr. DICKINSON of Iowa. Did the gentleman vote for the McNary-Haugen bill?

Mr. BULWINKLE. I did not.

Mr. DICKINSON of Iowa. As a matter of fact, the McNary-Haugen bill is simply an effort to put the farmers and the stuff they produce down in your district under the protective tariff schedules of this country. That is the whole purpose of it, and as a matter of fact, some of you have never been able to get so converted to the protective-tariff principles that you are willing to have your farm commodities come within the provisions of that law, and therefore you voted against it.

Mr. BULWINKLE. What I asked the gentleman was this: The gentleman stated that the President would veto any effort to reduce the tariff.

Mr. DICKINSON of Iowa. Yes.

Mr. BULWINKLE. Now, I am asking the gentleman if the President will not do the same thing to the McNary-Haugen bill?

Mr. DICKINSON of Iowa. Oh, I am coming to that, and I am going to give the gentleman a chance to redeem his record and to vote for it before we get through with this session of Congress.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. O'CONNOR of Louisiana. If the gentleman is correct in principle, why is it that so many Republicans who are in favor of a high protective tariff voted against it?

Mr. DICKINSON of Iowa. Go ask them for their explanation; do not ask me.

Mr. O'CONNOR of Louisiana. Is it too difficult for the gentleman to explain?

Mr. DICKINSON of Iowa. I do not know their minds, but let me say to the gentleman that if he wants flood relief in Mississippi he had better get in on the farm relief, because we are all on the same creek—we live up above and you live down below, and if you want us to help you you had better help us.

Mr. O'CONNOR of Louisiana. Does the gentleman think that is an answer to my question?

Mr. DICKINSON of Iowa. I think it is a good answer. I think there are many people in your section of the country who are absolutely in sympathy with us.

Mr. O'CONNOR of Louisiana. I asked the gentleman why so many protective Republicans——

Mr. DICKINSON of Iowa. I told the gentleman to go and ask them their reason.

Mr. ABERNETHY. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes; I will yield to the blueberry man of North Carolina. [Laughter.]

Mr. ABERNETHY. I want to ask the gentleman, as he is a high-protective-tariff man, why is it he can not get the Members on that side to go with us in favor of the McNary-Haugen bill and get relief to the farmers?

Mr. DICKINSON of Iowa. Why, I am doing more missionary work among these fellows than anyone else.

Mr. ABERNETHY. Has the gentleman been able to get the man at the White House to change his attitude?

Mr. DICKINSON of Iowa. I advise the gentleman from North Carolina to read my remarks in the RECORD to-morrow morning.

Mr. ABERNETHY. I can not wait. I want to hear you now. [Laughter.]

Mr. DICKINSON of Iowa. As a matter of fact I will discuss that a little later.

Mr. ABERNETHY. I want to know if the gentleman is going to get all the protective-tariff folks to go with him on the McNary-Haughen bill?

Mr. DICKINSON of Iowa. I am getting more all the time.

Mr. ABERNETHY. How many have you got?

Mr. DICKINSON of Iowa. We have got enough over here. The trouble is that the gentleman wants me to do the job all at once.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield three minutes to the gentleman from Florida [Mr. SEARS].

Mr. SEARS of Florida. Mr. Chairman, when the Creator of all things had painted the sky its wonderful blue, which no artist has been able to rival in beauty, he decided in the tropical section something was lacking, and he gave to it its final tint. Then paraphrasing, "His paint brush dropped into the ocean," and that blue, which so many of you who have visited Florida have admired and marveled at, was given its brilliant hue. To add to this beauty He also created the most wonderful automobile course in the world, which is kept in perfect condition by the ebb and flow of the tide. To those who have not had the pleasure of going down there, you will find that the above is true by visiting Florida and greater Daytona.

Mr. Chairman, in life each one has his part to play. There are men who become great lawyers, doctors, who become leaders in their profession, and Speakers, like ours, who rules with fairness and justice. We have had great soldiers, and we are all proud of that great young American, that wonderful American manhood, "Lindy." [Applause.]

To-day, there is in the gallery, where we have had the pleasure of entertaining other men like York and others, a man whose nerves are made of steel, but whose heart is large and like a woman is modest and timid. I take pleasure in introducing to you him, who recently broke the world's record on that wonderful race course at greater Daytona at a speed of 215 plus miles an hour. It is no wonder that he broke the world's record, because his machine evidently attempting to rival the beauties of the sky and ocean was named the Bluebird—Capt. Malcolm Campbell, of Great Britain. [Applause.]

Mr. DICKINSON of Iowa. Now, I want to come to the equalization fee. There has been a great deal of discussion here as to whether or not any farm relief legislation without the equalization fee would be effective. I presume that nearly all the comments in the press and among Members of the House is on the fear that the equalization fee will not be effective and

finally will become a tax against the producer. As a matter of fact, I have no fears of that kind, and I want to explain the machinery, as I see it, with reference to the equalization fee, and why if you are going to have farm relief you want an equalization fee provision in it. Otherwise it will not be effective.

An equalization fee is for the purpose of bringing a commodity within the provisions of the machinery. An equalization fee is a substitute for what they call consolidation and organization in big business that brings the product within the control. The man who thinks that by agreement of the producers themselves they are going to be able to go out and bring in cooperative machinery enough to control the price is wrong, because they will not make sufficient progress in the next 25 years to bring enough of any commodity within the control of the organization to have a controlling effect on the market of the commodity.

Therefore, in order to bring the hundred and one producers of various commodities within the provisions of the bill, it is necessary that you bring them in with some legislative machinery. Oh, but you say, we would have to have the consent of all of the producers before we could do that. No. When the Congress passed the Federal reserve act they did not go out and ask the national bankers of the country whether or not they wanted to come within the provisions of that act. They just said that by reason of the fact that they were bankers under a Federal charter, and in order to become a part of the machinery, they were to be allocated within the provisions of the machinery, and that they must thereby function under the provisions of that machinery. That is just what we are doing with the equalization fee. But if the loan provisions of the bill will carry the commodity and sell it at a stabilized price, then I am a believer in it, and I believe that if the board finds that that can not be done with the loan provisions, then they ought to have the additional machinery whereby they can bring that commodity within their control, and it is only by doing that that you are ever going to stabilize the price.

Mr. Chairman, there is a misapprehension about the farm-relief program. A great many people think we want higher prices all of the while. Such is not the case and such has never been the case. All we want is to take out the dips, to take out the ups and downs, to take out the fluctuations, that always fluctuate low when the farmer is selling and high after the farmer has sold. Therefore the thing that we want to do is to carry this program along and stabilize prices—not a high price, not a low price. That is the reason why you want the machinery of the McNary-Haugen bill enacted into law. You may say that the farmer has always gotten along and that you guess he always will.

The farmer in every European country, when he faced the same crisis that we are facing here, has always lost and has gone down and down to where he has never been able to revive himself. If you do that in America, you are going to decrease the production and also the valuation in every phase of commercial life in this country. That is what will happen if you permit the farmers to continue to lose their buying power, which is the thing that sustains the industries of the country and the commercial concerns of the country. Therefore, I want to see machinery provided whereby we can bring these producers within the machinery and stabilize the price for their benefit. A great many people say that that will cost us more money to live. It will not. All it will do will be to transfer from the speculator the commission margins to the producer of a particular commodity. It will not cost the consumer any more, because we are now finding that we charge what the consumer will pay and not what you have the ability to charge. I can recall that three or four years ago they said that all you had to do was to have an agreement that you were going to raise the price of sugar, and they about doubled the price of sugar in less than six weeks. Then, within 60 days the consumption of sugar in the United States decreased 60 per cent, and they had to reduce their prices because the people would not pay the big price. We know that when we raise pork and sell it in Brother BULWINKLE's district in Tennessee——

SEVERAL MEMBERS. North Carolina.

Mr. DICKINSON of Iowa. North Carolina—and I ask the pardon of the gentlemen from Tennessee——

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

Mr. DICKINSON of Iowa. Yes.

Mr. BLACK of New York. Would the gentleman tell us specifically how they expect to eliminate the middleman by this proposition?

Mr. DICKINSON of Iowa. It will not eliminate the middleman. It will eliminate the speculation of this middleman.

Mr. BLACK of New York. Why?

Mr. DICKINSON of Iowa. Because they will not be able to fluctuate the prices by getting out scare heads. What they do now is to get out a scare head. Let me give you a concrete illustration which affects the district of the gentleman from Louisiana [Mr. O'CONNOR], who always wants flood relief, but not farm relief. What did they do down there? They had a great flood in the Mississippi Valley and it destroyed a lot of the cornlands along the Mississippi River.

As time went on they said that the great corn crop of the Mississippi Valley was going to be wasted; and then they found that the acreage was so much that the crop was going to be reduced, and the speculators put up the price of corn 12 cents within less than two weeks. Why? On the scare head that you were going to have a shortage of corn. What happened? A little later they gave out scare heads that the Lord had sent the sunshine and that He was sending June weather in September, and that they were going to have a splendid crop; and then they put the price down 16 cents when there had not been any change in the condition with reference to the corn crop at all.

Mr. BLACK of New York. I do not want the gentleman to consider me unfriendly, but why can not the farmers, through the medium of the instrumentality set up by this bill, do the same thing in an artificial way through the power they obtain through legislation, as was done by the speculators through the action of the flood?

Mr. DICKINSON of Iowa. Because the farmer is not of a speculative turn of mind. There would be no way of getting together a movement among the farmers that could possibly react quick enough so that they could get that quick action up and down.

As a matter of fact, I find that farm boards and farm-board machinery, when once established, are just as dependable as a Federal Reserve Board or a Tariff Commission, or other functionaries of the Government. You can not charge that because they happen to be dealing with a farm program they are not going to be less honest and dependable than the other commissions concerned and those who work on various boards of the Government.

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

Mr. DICKINSON of Iowa. Yes.

Mr. KVALE. The gentleman has spoken of the speculators. Does not the gentleman think that the reason why the McNary-Haugen bill is not now on the statute books is because the gamblers' exchanges—the cotton and grain exchanges—and the boards of trade are opposed to it?

Mr. DICKINSON of Iowa. I know they are opposed to it, and I never found anyone in that type of business who favored this legislation, because I think they are afraid it will affect their business and their margins.

Mr. O'CONNOR of Louisiana. Mr. Chairman, will the gentleman yield there?

Mr. DICKINSON of Iowa. Before I yield I would like to ask the gentleman if he is going to vote for or against it?

Mr. O'CONNOR of Louisiana. I will vote for the Aswell bill if you and your people would let that bill come up under the rule.

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

Mr. DICKINSON of Iowa. Yes.

Mr. BROWNING. The gentleman thinks the machinery of the McNary-Haugen bill will stabilize the price. What we want to know is whether or not the average price to the farmer is going to be made higher than it is now? If you are not going to raise it, what benefit will come from it?

Mr. DICKINSON of Iowa. Let me ask you this question: If you take out the fluctuation and give its equivalent to the farmer, will he not get more than he gets now?

Mr. BROWNING. Of course.

Mr. DICKINSON of Iowa. Can there be any question but that if you take out the speculative margin the farmer will get more than he gets now?

Mr. BROWNING. He will if it does not cost more to the consumer.

Mr. GREEN of Florida. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. GREEN of Florida. From the statements made by the gentleman to-day and in the past, we would conclude that the gentleman has made a careful study of the farming problem. I will ask the gentleman how he feels about extending the tariff rate so that we can exclude the fruits and vegetables that come in from Mexico and elsewhere and compete with the products of Florida?

Mr. DICKINSON of Iowa. I recall that a number of gentlemen have introduced bills that include vegetables and various farm commodities, beans, vegetables, fruits, and so forth, to help the producer of these commodities in this country.

Mr. GREEN of Florida. Will the gentleman go a little further and assist us in bringing from the Committee on Ways and Means such a revision of the tariff as will enable these products to be protected? Many of our farmers are producing at a loss to-day.

Mr. DICKINSON of Iowa. They are just getting into the same class where the Iowa farmers have been in for six years. We have been operating at a loss for a long time.

Mr. GREEN of Florida. I think we ought to get behind the Ways and Means Committee, which is dominated by the gentleman's party, and bring about such a revision.

Mr. DICKINSON of Iowa. Will you stand to put it through?

Mr. GREEN of Florida. I will stand for the protection of vegetables and fruits raised in my State. [Laughter.]

Mr. DICKINSON of Iowa. I want to say that if we could put this questionnaire often enough and get a lot of these Democrats committed, we would have a chance of getting real relief legislation.

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

Mr. DICKINSON of Iowa. Yes.

Mr. KVALE. The gentleman knows that I have consistently supported the McNary-Haugen bill, including the equalization fee.

Mr. DICKINSON of Iowa. That is correct.

Mr. KVALE. Will the gentleman explain to this House why he has come into my district in Minnesota and campaigned against me and in favor of a gentleman whose congressional manager was opposed to the enactment of the McNary-Haugen bill?

Mr. DICKINSON of Iowa. It happens that I had a conversation with the man who opposed the gentleman, and he was just as much in favor of the McNary-Haugen bill as the gentleman is, and he was a member of my party, and you are not.

Mr. KVALE. The gentleman referred to, Mr. J. C. Morrison, was opposed to the McNary-Haugen bill. Now, is the gentleman a Republican first, and a friend of the farmer after that?

Mr. DICKINSON of Iowa. I am for both all the time. [Applause.]

It seems to me to be fitting to put in a short history of the legislative program for farm relief.

I will indicate the various McNary-Haugen proposals for surplus control which have been before Congress during the last four years:

(1) HOUSE

(Sixty-eighth Congress, first session)

H. R. 9033. Agricultural export corporation: Original McNary-Haugen bill with "ratio price" provision. Introduced by GILBERT N. HAUGEN (Iowa). Reported from committee May, 1924. Rejected by the House of Representatives June 3, 1924; 223 nays, 155 yeas.

SENATE

S. 3091. Agricultural export corporation: Original McNary-Haugen bill with "ratio price" provision. Introduced by Senator CHARLES L. MCNARY (Oregon). Reported from the committee April 16, 1924. Not voted upon.

(2) HOUSE

(Sixty-eighth Congress, second session)

H. R. 12390. Farmers' export corporation: Second McNary-Haugen bill, without "ratio price," based on making tariff effective. Introduced by GILBERT N. HAUGEN (Iowa). Reported from the committee February 26, 1925. Not voted upon.

SENATE

S. 4206. Farmers' export corporation: Second McNary-Haugen bill, without "ratio price," based on making tariff effective. Introduced by Senator CHARLES L. MCNARY (Oregon). Reported from the committee February 26, 1925. Not voted upon. The above bill was offered as an amendment to the naval omnibus bill by Senator ROBERT B. HOWELL (Nebraska). Rejected March 3, 1925; 69 nays, 17 yeas.

[NOTE.—The Agricultural Committee in the House introduced a cooperative marketing bill based upon the recommendations of the President's agricultural conference. This bill was defeated in the House by the cooperative measure introduced by Congressman L. J. DICKINSON (Iowa). Neither of these bills was addressed to the subject of surplus control and neither came to a vote in the Senate.]

(3) HOUSE

(Sixty-ninth Congress, first session)

THIRD M'NARY-HAUGEN BILL

Based upon the Dickinson bill (H. R. 6563).

H. R. 11603. Federal farm board: Directed to act through cooperatives; "fair and reasonable" price provision (suggested by Senator Cummins) included. Introduced by GILBERT N. HAUGEN (Iowa). Reported from the committee April 27, 1926. Rejected by the House of Representatives May 21, 1926; 212 nays, 167 yeas.

SENATE

THIRD M'NARY-HAUGEN BILL

S. 7893. Federal farm board: Directed to act through cooperatives; "fair and reasonable" price provision (suggested by Senator Cummins) included (as committee amendment in Senate committee). Senator GEORGE W. NORRIS chairman. Reported April 19, 1926. Rejected by the Senate June 24, 1926; 45 nays, 39 yeas.

(4) HOUSE

(Sixty-ninth Congress, second session)

FOURTH M'NARY-HAUGEN BILL

H. R. 15474. Federal farm board (revised) directed to act through cooperatives; no special price provision. Introduced by GILBERT N. HAUGEN (Iowa). Reported from the committee January 18, 1927. S. 4808 was substituted, and passed House of Representatives February 17, 1927; 214 yeas, 178 nays. Vetoed by Calvin Coolidge in closing hours of Congress.

SENATE

FOURTH M'NARY-HAUGEN BILL

S. 4808. Federal farm board (revised) directed to act through cooperatives; no special price provision. Introduced by Senator CHARLES L. MCNARY (Oregon). Reported from the committee January 24, 1927. Passed Senate February 11, 1927; 47 yeas, 39 nays. Vetoed by Calvin Coolidge in closing hours of Congress.

(5) HOUSE

(Seventieth Congress, first session)

FIFTH M'NARY-HAUGEN BILL

H. R. 7940. Federal farm board, revised (retaining principles, but meeting most of the objections of the veto): Introduced by GILBERT N. HAUGEN (Iowa).

SENATE

FIFTH M'NARY-HAUGEN BILL

S. 1176. Federal farm board, revised (retaining principles, but meeting most of the objections of the veto): Introduced by Senator CHARLES L. MCNARY (Oregon).

In considering sentiment for the McNary-Haugen bill it is important to note that following the close of the second session of the Sixty-eighth Congress in the spring of 1925, the farm organizations changed their method of approach to the problem.

The original McNary-Haugen bill, defeated in the House of Representatives in June, 1924, provided a Government corporation and contained the "ratio price" provision. The second McNary-Haugen bill, introduced in the second session of the Sixty-eighth Congress, provided for a Government corporation, omitted the "ratio price" features, and relied upon making the tariff effective by control of supply.

In the tentative draft of the Dickinson bill, prepared in the spring of 1925, the idea of a Government corporation authorized to buy and sell or to direct activities in buying and selling was abandoned, and the theory of a Federal farm board operating through cooperative marketing associations primarily and other agencies secondarily was substituted. This theory was carried through the surplus control legislation, rejected by the House of Representatives in the spring of 1926 and by the Senate during the same session of Congress. Legislation based upon this theory was passed by both Houses of Congress in the second session of the Sixty-ninth Congress and vetoed by President Coolidge. This theory of legislation is contained in both the House and Senate bills introduced by Congressman HAUGEN and Senator MCNARY, respectively, in the Seventieth Congress.

The "equalization fee" principle has been embodied in all of the surplus control legislation, known as the McNary-Haugen bills, from the introduction of the first bill to the present time.

Briefly, the bill now in Congress provides for a farm board authorized, upon petition of the growers of a majority of a particular commodity, to assist in removing, storing, and disposing of the surplus portion of the commodity, this to be accomplished by entering into agreements with cooperative associations or other agencies, the losses, costs, and charges to be paid from the funds secured from the collection of the "equalization fee." The principle is as old as government itself. It is that all beneficiaries of an undertaking in behalf of the public welfare shall contribute ratably toward paying the cost. It is new in name only. It is permissive legislation supplemented by sufficient government authority to enable the growers of a commodity to stabilize the price of that commodity by regulating its flow to market, the costs to be distributed as widely as the benefits—that is, over all the growers of the commodity.

It is important to note that this theory of legislation has been overwhelmingly indorsed by farm organizations. During all

the hearings on this legislation, covering months of time over several years, not a single responsible farm organization or cooperative marketing association has appeared before the committee in either House in opposition to the measure. It is true that one organization, the National Grange, has favored the debenture plan, which is an indirect subsidy, since it proposes to divert tariff revenues to pay a bounty on exports. However, as late as in the spring of 1927 Mr. Taber, the master of the National Grange, while advocating the debenture plan, refused to oppose the McNary-Haugen bill, while on a previous occasion Doctor Atkeson, the Washington representative of the Grange, appeared before the committee on behalf of the McNary-Haugen bill. I think it is a fair statement to make that farmers have been more nearly united in their support of the McNary-Haugen bill than were the railroads in support of the various measures passed affecting them, the banks in the support of the Federal reserve act, or, indeed, the manufacturers as a whole in the support of particular tariff schedules.

The reason for the change by farm organizations in the method advocated for surplus control from a Government corporation to working through cooperative associations may be attributed to three major factors:

First. The attitude of farm organizations and cooperative associations;

Second. The attitude of Congress; and

Third. The attitude of the President.

THE ATTITUDE OF FARM ORGANIZATIONS AND COOPERATIVE ASSOCIATIONS

First. The farm organizations and cooperative associations for a time believed that the control of surplus could be managed by cooperative organizations. They have learned, however, that it is impossible for a voluntary association to sustain the market on primary agricultural commodities at the expense of their membership alone because the outsider gets the benefits of an increased price without bearing any of the expense or burdens incident to the activities of the association.

Farm organizations and cooperative associations believe, however, that with the assistance of the Government to help them spread the costs as widely as the benefits are distributed—that is, over the whole commodity—they can do the job.

THE ATTITUDE OF CONGRESS

Second. Congress by enacting the Capper-Volstead Act of 1922 and the act of 1926 to create a division of cooperative marketing, as well as by numerous other acts, such as the rural credits act of 1923 looking toward better credit facilities for cooperatives, has accepted the policy of cooperative marketing as a national policy.

The Capper-Volstead Act authorizes associations of producers of agricultural products which under certain conditions are exempt from antitrust restrictions. Persons engaged in the production of agricultural products are permitted to act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of persons so engaged; provided that such associations are operated for the mutual benefits of the members thereof, as such producers. The association is limited to dividends not in excess of 8 per cent per annum and can not deal in the products of nonmembers to an amount greater in value than such as are handled by it for members.

The act of 1926—H. R. 7893—created a division of cooperative marketing in the Department of Agriculture to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to authorize cooperative associations to acquire, interpret, and disseminate cooperative and marketing information, and for other related purposes.

THE ATTITUDE OF THE PRESIDENT

Third. From the time President Coolidge succeeded President Harding, upon almost all appropriate occasions he has expressed sympathy with the development of cooperatives and the hope that the problem might be solved by them.

For example, in his first message to Congress, December 6, 1923, he said:

> He (the farmer) must have organization. His customer with whom he exchanges products of the farm for those of industry is organized, labor is organized, business is organized, and there is no way for agriculture to meet this unless it, too, is organized. * * * Systems of cooperative marketing created by the farmers themselves, supervised by competent management, without doubt would be of assistance, but they can not wholly solve the problem.

In this Lincoln Day dinner speech at the National Republican Club in New York February 12, 1924, he said:

> I have already encouraged organization and cooperative marketing that organized agriculture may cope with organized industry.

At the Livestock Exposition in Chicago December 3, 1924, he said:

> It [the Government] must encourage orderly and centralized marketing as a substitute for the haphazard and wasteful distribution methods of the past. The principle of cooperation in producing, financing, buying, and marketing must be encouraged to the utmost practicable development.

Before the National Cooperative Marketing Conference January 6, 1925, he said:

> As a last word, let me assure you again of the profound sympathy which your Government feels for all your efforts, and its eager purpose to help in every practical way the achievement of the ends you are seeking.

He told the members of the American Farm Bureau Federation on December 7, 1925, in Chicago:

> The most important development of late years has been the cooperative movement. * * * I propose actively and energetically to assist the farmers to promote their welfare through cooperative marketing.

In his message to the Sixty-ninth Congress, first session, December, 1925, he said:

> It has appeared from all the investigations that I have been able to make that the farmers as a whole are determined to maintain the independence of their business. They do not wish to have meddling on the part of the Government or to be placed under the inevitable restrictions involved in any system of direct or indirect price fixing which would result from permitting the Government to operate in the agricultural markets.

In his message to the second session of the Sixty-ninth Congress, December, 1926, he said:

> The development of sound and strong cooperative associations is of fundamental importance to our agriculture.

In the same message he said:

> In my opinion cooperative marketing associations will be important aids to the ultimate solution of the problem. It may well be, however, that additional measures will be needed to supplement their efforts. I believe all will agree that such measures should not conflict with the best interests of the cooperatives, but rather assist and strengthen them. * * *

In his message to the Seventieth Congress early this month, December, 1927, he said:

> The main problem which is presented for solution is one of dealing with a surplus production. It is useless to propose a temporary expedient. What is needed is permanency and stability * * *. Price fixing and subsidy will both increase the surplus instead of diminishing it. Putting the Government directly into business is merely a combination of subsidy and price fixing aggravated by political pressure. * * * The Government can * * * assist cooperative associations and other organizations in orderly marketing and handling a surplus clearly due to weather and seasonal conditions. * * * While it is probably impossible to secure this result at a single step, and much will have to be worked out by trial and rejection, a beginning could be made by setting up a Federal farm board or commission of able and experienced men in marketing, granting equal advantages under this board to the various agricultural commodities and sections of the country, giving encouragement to the cooperative movement in agriculture, and providing a revolving loan fund at a moderate rate of interest for the necessary financing. Such legislation would lay the foundation for a permanent solution of the surplus problem. * * * Cooperative marketing especially would be provided with means of buying or building physical properties.

The vote on the McNary-Haugen bill in the last session of Congress shows how widely the conviction prevails that this legislation is desirable. Fifty-seven per cent of the Democrats voting and 52 per cent of the Republicans voting in both Houses favored the bill. The charges that the affirmative votes were due to various trades among Members of Congress are probably without substantial foundation to a greater degree than is usual in a piece of major legislation.

I think it is fair to say that the opposition comes from the sections primarily industrial, and from groups now interested in handling the farmer's products who fear that their interests may be adversely affected by the successful development of cooperatives.

The first class wants the farmer to restrict his production to the demand of domestic markets in order that industry may monopolize our export trade. This attitude first became ap-

parent in the report of the President's Agricultural Conference in January, 1925, which contained the recommendation:

There must, therefore, be established a balanced American agriculture by which production is kept in step with the demand of domestic markets and with only such foreign markets as may be profitable.

The recently published report of the special commission of the United States Chamber of Commerce and the National Industrial Conference Board leaves no doubt in my mind of the purpose of certain interests to industrialize the Nation at the expense of agriculture. Yet, according to Virgil Jordan, chief economist of the National Industrial Conference Board, the capital invested in agriculture in 1919 more than equaled that invested in our manufacturing industries, mines, and railroads combined. Agriculture normally exerts a purchasing power for nearly $10,000,000,000 worth of goods and services of other groups annually. This purchasing power of our agricultural groups is five or six times the amount of our industrial exports, exclusive of the products of the farm.

Why, then, I ask, should agriculture be submerged and its foreign markets given up for the benefit of industries in limited sections of the country?

Business had better take stock of its leadership.

The issue threatens to remake the political map of the United States, since the welfare of agriculture is more to be desired than the welfare of political parties or of any individual. There can be no doubt in the mind of any observer of the meetings of the great farm groups in the Middle West and South of the determination of these groups to secure economic justice, regardless of the effect upon political parties.

The economic position of agriculture can be epitomized by the simple statement that since 1910 farm debts have increased from about $4,000,000,000 to more than $12,000,000,000 in 1920, and has increased since that time. Farm-property values have declined since 1920 more than $20,000,000,000.

Further information on the equalization fee of the legislature can best be gained by rereading the speech of Senator JAMES E. WATSON in the United States Senate February 10, 1927.

THE EQUALIZATION FEE

I

No farm legislation can be made helpful that does not provide some method of taking care of surplus production, and in my judgment the only sound way to do this necessary thing is by means of an equalization fee.

The opposition to surplus control legislation has picked the equalization fee as the vital point in this legislation, and special efforts have been made to eliminate it from any bill that may be passed by Congress.

One by one the objections which for years have been urged against farm relief legislation have been abandoned except the one to the equalization fee.

The most unreasoning opponent no longer denies that the condition of agriculture is desperately bad; and all but a few concede that there is nothing in present conditions and tendencies which promises relief. Only a negligible number any longer deny that the agricultural situation justifies constructive aid by the Government.

The plain and simple terms of the measure supported by representative farm organizations have convinced, if they have not silenced, the partisans who have been shouting "price fixing" and "Government in business," but every opponent of this legislation joins in the chorus of opposition to the equalization fee.

The entire controversy, in Congress and out of it, over farm legislation has finally resolved itself into this proposition from the opposition:

"Any farm legislation within reason, provided it contains no equalization fee."

The reason for all this is obvious. Surplus control legislation without the equalization fee would be unworkable and ineffective without Government subsidy. The fee is the crux of the whole situation.

II

Although opposition to the equalization fee has been voiced many times in Congress, in personal discussions, and in the press, one will have difficulty in recalling more than two definite reasons for opposition to it. Some argue that it is unconstitutional; others, that farmers do not want it.

The purpose of the equalization fee is (a) to raise funds from trade in a commodity to enable farmers to manage temporary and seasonal surpluses in ways that will prevent such surpluses from driving the price of the whole crop to unprofitable levels, and (b) to distribute the costs and benefits ratably to all the marketed product.

Whatever plan may be employed will involve cost, expense, and financial risk. Our export surplus of wheat can not be handled in a way to maintain a domestic price level in keeping with American standards of living and with domestic industrial prices without involving costs, trade risks, and losses. Surplus cotton can not be carried over from years of large crops to years of small crops without expense and some risk of loss. In a word, stabilization of agriculture can not be accomplished by theorizing and talking about it, but must be accomplished in the market places by actual transactions in actual commodities. Such transactions require money and involve possibilities of gains and losses.

Who shall manage such transactions? Who shall furnish the money, and who shall take the risks? There is but one proper answer—the farmers themselves. How will farmers themselves get the money to do these necessary things? By voluntary action, or through a device created by legislation? That is the issue now before Congress.

The opponents of this legislation admit the deplorable condition of farmers; they admit that control of surplus is a practicable remedy, but they contend that it should be done by voluntary action through cooperative associations and without an equalization fee.

III

Theoretically the banks of the country could have cooperated in the control of their credit resources and brought stability without Federal legislation, but actually the task was impossible. Theoretically the stockholders of all the banks could have organized central banks, which could have done many of the things which Federal reserve banks are now doing to adjust the supply of bank credit to the legitimate needs of the country. But, in reality, it was impossible to secure the necessary unity of action by so large a number of stockholders. Legislation was necessary to compel bankers to do what they should do, but would not, by voluntary action. Therefore, Congress, by the device of the Federal reserve law, created the plan of stabilization and compelled national banks to provide ratably the capital necessary to operate it.

Theoretically it was possible for the many railroad corporations and the many organizations of railway labor to set up by voluntary action agencies necessary to stabilize railroad labor conditions. Actually, effective voluntary cooperation was impossible. Hence, by the device of the Railway Labor Board, Congress sought to provide the necessary supplement to voluntary action.

Theoretically, railroad companies by voluntary cooperation could have established uniform standards of car equipment to permit free interchange of cars, but actually such cooperation was impossible; hence universal acceptance of uniform standards of equipment was compelled by Federal action through the Interstate Commerce Commission.

Theoretically it has always been possible for bankers and business men to establish uniform practices with respect to bills, notes, drafts, etc., but actually it has been impossible, and uniformity came only through the device of negotiable instruments legislation.

Theoretically it has always been possible for shippers of fruit and vegetables to establish uniform sizes and shapes for boxes, barrels, and crates by cooperative action, but experience proved to the contrary, and Congress by the device of a Federal law supplemented cooperative effort and compelled all shippers to use the same size and shape of containers.

Theoretically it was possible for labor to organize so completely that all Government work would be done on an eight-hour basis; but practically it was impossible and Congress stepped in and did by law what cooperation alone could not do.

This list of examples might be extended indefinitely to prove that when the public good can not adequately be served by voluntary cooperation it has been the settled policy of our Government to provide by legislation the means to the desired end. Frequently it is nothing more than a device by which the minority may be required to conform. The device varies with the subject matter. It was compulsory stock subscription in the case of the Federal reserve law; it was a fine in the case of the uniform containers law.

When we consider the basic and fundamental aspects of the surplus control bill its similarity with much familiar and accepted legislation becomes apparent. There are differences in method and detail, of course, just as different methods of taxation are employed with different classes of property; but in all cases the aim and purpose is the same—to have all classes of property contribute to the support of government.

Every industry is in some respects different from every other industry, and a legislative device that will aid one may not benefit another.

The surplus control act with the Federal Farm Board, the stabilization fund, and the equalization fees are for agriculture what the Federal reserve act is for banking; the transportation act for railroads; the immigration law, the eight-hour law, and numerous other labor laws for labor; the tariff act for industry and innumerable other Federal laws are for the special interests they serve.

IV

It may be argued that it is possible for all wheat growers to cooperate in handling wheat exports in a way that will maintain a domestic price in keeping with American standards of living and American industrial prices, but actually it is impossible.

It may be argued that it is possible for all cotton growers to cooperate in withholding the unneeded parts of their crop from the market in years of large production and feeding it back again as needed, but actually such a thing is impossible.

The same is true of all other crops. All farmers will never join cooperative-marketing associations, just as all national banks would never voluntarily join the Federal reserve system, and all shippers would never use the same kind of containers.

A fraction of a group will not voluntarily assume the entire cost of a service to the entire group. Quite a number of farmers' cooperatives in the United States have undertaken to stabilize markets by carrying seasonal surpluses over into the next year, but in every such case the effort has failed, and in some cases the cooperative itself has been wrecked.

A fraction of the producers of wheat, even a large fraction, can no more assume the entire cost of stabilizing the wheat market on an American basis than a voluntary local improvement association can assume the entire cost of building levees or good roads.

A fraction of the producers of cotton, even a large fraction, can no more assume the entire cost of stabilizing the cotton market through cooperative associations than a few national banks can voluntarily assume the maintenance of the Federal reserve system.

V

The equalization fee is a new thing in name only. The principle involved in it is as old as the Government itself. It is this: That all beneficiaries of an undertaking in behalf of the public welfare shall contribute ratably toward paying the cost.

It will cost money to manage surpluses and stabilize markets for farm crops. The producers of each crop—all of them, not a few of them—should pay the cost and bear the losses, if any, because they will be the direct beneficiaries. What better way can be devised for doing that than collecting a small fee on each marketed unit of the crop?

We are told that such a fee would be unconstitutional. Such a statement is merely an opinion; and the same thing has been said of every important legislative act of Congress since the Government was founded. Many lawyers, including the very able lawyers employed by the House and Senate to aid committees in preparing legislation, hold that the equalization fee is constitutional. Many of the ablest lawyers in both Houses take the same view. No one has yet answered the constitutional argument of the late Senator Cummins, of Iowa, in the Senate as reported in the CONGRESSIONAL RECORD of June 19, 1926.

Congress has never refused to pass an important measure because a few men claimed it was unconstitutional. Why make an exception in the case of farm legislation?

VI

It is asserted that farmers do not want farm relief if they must pay an equalization fee.

There is no fact basis for such an assertion. Prolonged hearings have been held by committees of the House and Senate on bills carrying an equalization fee since 1924. The record does not disclose that a single farmer has appeared to protest against it. Surely, if farmers are strongly opposed to it, some evidence of that fact would have found its way into the record of these hearings.

On the contrary, practically every farmers' cooperative and farm organization, whose members produce the commodities named in this bill, is supporting this legislation.

These facts raise the question who represent farmer opinion and farmer sentiment—Washington politicians, grain exporters, the United States Chamber of Commerce, business lobbyists, or the farmers' own organizations?

Why should not farmers be willing to pay a small equalization fee to get profitable prices? The farmers of the South paid to somebody what amounted to a fee of $35 a bale loss on their cotton in 1926 because they did not have a chance to pay a $2 a bale equalization fee to take the surplus off the market. The wheat, corn, and hog producers are paying more than the amount of an equalization fee every year in the form of losses because they have no effective method to maintain profitable prices.

VII

To offer Government loans to farmers as a substitute for an equalization fee is to do a useless thing. Loans are useful and necessary in business, but they can not properly be used or substituted for original capital. In like manner commodity stabilization funds must consist of original capital drawn from the particular industry to be stabilized and not of loans from the Government to some of the people in the industry.

As losses and costs of stabilizing farm crops must be paid out of the stabilization funds there will be need for periodical or occasional replenishment. Funds for that purpose should be provided by the particular crop industry through an equalization fee.

If the stabilization funds should be secured by loans alone, impairment of them by costs and losses resulting from operations could only be made good with further loans. Merely to state this method is to expose the utter fallacy of stabilizing crops by use of loans.

The equalization fee will serve three principal purposes. It will provide the capital fund for managing surpluses, it will prorate the cost equitably upon all the marketed units of the commodity, and it will operate in some degree as a restraint upon overproduction.

Under no conceivable circumstances can loans by the Government, or any other agency, accomplish any one of these three purposes. Therefore no loan plan can properly be called an adequate stabilization plan.

VIII

Some have objected to an equalization fee on the ground that it involves some degree of compulsion; that farmers will rebel against the collection of a fee on their products. There is a measure of compulsion in the bill, as there is in all law. No law is ever needed to require people to do that which all of them will do voluntarily.

The terms of the bill prevent its application to any commodity unless the spokesmen and representatives of the producers of that commodity ask for it. When that happens the bill would require the collection of the fee upon all the marketed units of that commodity. The principle involved is fundamental in popular government.

There is much more compulsion, and of the same kind, in the Federal reserve act than is proposed in the surplus control act. During the debate on the bank bill in the recent Los Angeles convention of the American Bankers Association, Mr. Max B. Nahm, vice president of the Citizens National Bank and Bowling Green Trust Co., of Bowling Green, Ky., said:

"The Federal reserve system can be preserved only by conscripted capital. You can conscript the capital only of national banks. The law does not allow you to reach the State banks.

"I say that the Federal reserve system can exist only on a conscripted capital. During the Revolutionary War the continental States had no authority, and the Revolutionary War was won by private subscriptions of Washington and Morris and the Government of France. During the Civil War the United States could not sell its bonds, and Salmon P. Chase and Jay Cooke raised $2,000,000,000 through the national banking system. In the last war you sold $25,000,000,000 of bonds through the Federal reserve easier than they did $2,000,000,000."

In the course of the same debate, Mr. H. H. McKee, president of the Capitol National Bank, of Washington, D. C., said:

"We can not have a Federal reserve system in this country that is not based upon the compulsory membership of national banks that are under the sole and supreme authority of the Federal Government, that can make them contribute the capital and the assets to that great system to make it function."

If it was right to compel all national banks, the willing and the unwilling, to provide the capital funds necessary to stabilize the banking business, how does it become wrong to require a minority of farmers to contribute a small fee to stabilize their particular branch of the agricultural industry?

Everybody knows that a majority of the national banks opposed the passage of the Federal reserve act. It is equally well known that a majority of interested farmers' organizations favor the passage of the surplus control bill with the equalization fee provision.

The Federal reserve act became operative when passed by Congress. The surplus control bill will apply to a particular commodity only when the spokesmen and representatives of the commodity ask for it to be applied. It is not nearly so arbitrary and compulsory in character as the banking bill.

National banks can not relieve themselves of the requirements of the Federal reserve act, but farmers may relieve themselves of the provision of the surplus act when there is no need for it.

It is beyond the point to say that these comparisons are inapt because national banks are chartered by the Government. Their stockholders are citizens and their investments are private property and just as much under the legal and moral protection of the Constitution and the Government as are farmers and their property. If it is a right and moral policy of government to require owners of national-bank stock to pay an assessment into a capital fund to stabilize the banking business, why is it not a right and moral policy to require owners of farm crops to pay a small fee into a capital fund to stabilize the branch of agriculture?

IX

Another frequently heard objection is that surplus control legislation is new and novel and an untried experiment.

In the very nature of things all fundamental legislation must be new and untried and to that extent an experiment. The interstate commerce act was an untried experiment when it was passed. So was the national bank law, the original protective tariff law, and all new legislation.

It was impossible to know in advance exactly how any of these laws would operate. The same is true of surplus control legislation. The condition of farmers is desperate and threatens the prosperity of other classes. While this is not the first time in history that agriculture has been unprofitable, there are in the present situation many factors which were not present in other depressions and which give special significance to present conditions.

The surplus control bill proposes a plan which is new as legislation, but old as business practice. It aims to make it possible for producers of farm commodities to create with their own money stabilization funds which will be employed to stabilize the market for these crops by a sound business method. If all the wheat or all the cotton in the country were

produced by a relatively small number of people, such legislation might not be necessary because the producers could "get together" and stabilize their markets as the steel market and many others are stabilized. But with farming in the hands of millions of men legislation is required to secure stability.

Nobody can guarantee the complete success of the plan. Experience may and probably will suggest changes. More than 30 provisions of the Federal reserve act have been modified since its enactment and many others are now pending.

To oppose surplus control legislation because it is new and untried is not only illogical but it is a discrimination against farmers because it makes a requirement of them that is not made of other classes when they seek legislation—that is final perfection and guarantee of perfect operation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The committee informally rose; and Mr. RAMSEYER having assumed the chair as Speaker pro tempore, a message in writing from the President of the United States was presented to the House of Representatives by Mr. Latta, one of his secretaries, who also announced that on February 28, 1928, the President had approved bills of the House of the following titles:

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.

AGRICULTURAL APPROPRIATION BILL

The committee resumed its session.

The CHAIRMAN. For the information of the committee the Chair will state that the gentleman from Iowa [Mr. DICKINSON] has used 1 hour and 36 minutes and the gentleman from Texas [Mr. BUCHANAN] has used 2 hours and 16 minutes.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield to the gentleman from West Virginia [Mr. BACHMANN] 15 minutes.

The CHAIRMAN. The gentleman from West Virginia is recognized for 15 minutes.

Mr. BACHMANN. Mr. Chairman, West Virginia is not getting a square deal in the enforcement of the Federal prohibition law, and has not since it has been in the sixth prohibition enforcement unit, attached with 27 counties in the western district of Pennsylvania and 3 counties in Maryland. I have realized this situation for the past year and have given the matter considerable study.

I was much pleased with the ability and character of Federal Prohibition Commissioner J. M. Doran, who is charged with the duty of enforcing the Federal prohibition law. The first conference I had with him convinced me of the fact that he knows what is going on in West Virginia, and I am confident that he will endeavor to correct the situation in so far as he possibly can. Doctor Doran wants efficient prohibition enforcement, and I am of the opinion that he realizes the system used in one State may or may not work satisfactorily in another.

I am not personally acquainted with Mr. John D. Pennington, administrator in charge of the sixth prohibition unit at Pittsburgh, but I understand him to be a very fine gentleman, and what I say here is not intended in any way as a reflection upon him or his ability.

The sixth prohibition unit is composed of the State of West Virginia, containing 55 counties, 27 counties in western Pennsylvania, and 3 counties in Maryland. Headquarters for the unit are maintained at Pittsburgh, Pa.

The total annual appropriation allocated to the sixth prohibition unit is $539,640, of which amount the prohibition administrator at Pittsburgh estimates he is expending approximately $100,000 in West Virginia. In other words, our 55 counties in West Virginia are receiving less than one-fifth of the appropriation, while 27 counties in Pennsylvania and 3 counties of Maryland receive the balance of over $400,000. Personally, I do not believe—in the absence of proof to the contrary—that West Virginia is even getting $100,000 of this appropriation, because the only officials allotted to West Virginia are 2 deputy prohibition administrators, 3 clerks, and 14 agents, making a total of 19 employed, who receive an aggregate salary of $38,000, leaving $62,000 of the appropriation for railroad fares, hotel bills, and other expenses of officials of the Pittsburgh office for traveling over the State of West Virginia endeavoring to become acquainted with the 19 officials stationed in West Virginia, the court officials, and the people generally. Much better use could be made of this $62,000 if, with the other $38,000 allocated for salaries, it could be spent by a West Virginia administrator, owing his allegiance to the Federal Government and the people of the State, free from Pennsylvania domination.

In this connection it might be interesting to note that the counties in the western district of Pennsylvania have in the Pittsburgh office the following employees: One prohibition administrator, 1 assistant administrator, 1 attorney, 2 assistant attorneys, 4 junior attorneys, 52 prohibition agents, 19 prohibition inspectors, 2 investigators, 2 spirits inspectors, 58 clerks, 1 mechanic, 1 laborer, and 1 messenger, totaling 145. One hundred and forty-five employed in the Pittsburgh office to enforce the law in 27 counties in Pennsylvania, who receive an aggregate salary of $278,820. What part the mechanic, laborer, and messenger play in the enforcement of prohibition in western Pennsylvania, I do not know, but they surely are not thought to be of much service in West Virginia. We seem to get along fairly well with 14 agents, 3 clerks, and 2 deputy administrators, and without a mechanic, laborer, and messenger.

In order to understand what progress our State is making as compared with the 27 counties in Pennsylvania, I went to the office of the Attorney General and was startled and surprised to learn that the western district of Pennsylvania does not put into the Federal Treasury, as a result of fines collected, a sum in any measure proportionate to that which it receives. In fact, it does not collect enough in fines to pay the salaries of the 145 employees in the Pittsburgh office. The earnings, in fines, of the western district of Pennsylvania amounted, during the fiscal year 1927, to $169,661, while its employees' salaries amounted to $278,820.

In West Virginia more than $100,000 was collected in fines, and the salaries of the officials and employees amounted to only $38,000. The Pennsylvania district does not turn back one-half of what it spends, while West Virginia turns back into the Treasury more than it receives.

I learned, also, at the Attorney General's office, that for the fiscal year 1927 there were commenced in West Virginia 3,092 prohibition cases; in Pennsylvania, 1,606 cases. There were terminated in West Virginia 2,846 cases and in Pennsylvania 1,307 cases. There were 2,406 convictions in West Virginia and 1,230 in Pennsylvania. There was 1 acquittal in West Virginia and 10 in Pennsylvania. There were 2,395 pleas of guilty in West Virginia and 1,217 in Pennsylvania. The aggregate amount of fines in West Virginia was $142,975, and in Pennsylvania $177,946.

On an appropriation of less than $100,000 (while the western district of Pennsylvania had over $400,000), there were 1,486 more cases commenced in West Virginia than in Pennsylvania. There were 1,539 more cases terminated, 1,176 more convictions, 9 less acquittals, and 1,178 more pleas of guilty. In this connection the Federal court in the southern district of West Virginia, presided over by Judge George W. McClintic, leads every judicial district in the United States in the number of convictions, pleas of guilty, and cases handled during the fiscal year 1927.

It is claimed that some of the employees of the Pittsburgh office are sent into West Virginia, as conditions seem to warrant, to teach West Virginia how to enforce the law in our own State. This is the crux of the evil, for it militates against efficient prohibition enforcement. West Virginians know West Virginia and its people and are more capable of enforcing the law in West Virginia than Pennsylvanians or those from other States. The agents stationed in West Virginia work up their evidence and their cases, acquiring their information from West Virginians, and when they are about ready to raid or arrest, some of the Pennsylvania officials step in and take the credit

duly belonging to the West Virginia agents. This is not only discouraging but hinders proper enforcement.

We West Virginians believe that the prohibition law in West Virginia can be better enforced by taking West Virginia from the dominating influence of western Pennsylvania and placing it in a unit by itself. We do not believe that Pennsylvanians are as capable of enforcing the law in West Virginia as are West Virginians, any more than we believe that West Virginians are as capable of enforcing the law in Pennsylvania as are Pennsylvanians. The problems in both States are different. We have no brewery problems; they do in Pennsylvania. Liquor made in West Virginia is used in West Virginia, and most of the liquor brought into West Virginia comes from Pennsylvania and Maryland. Very little, if any, leaves the State. West Virginia is a mountainous State, and the capturing of stills in the mountains is a dangerous and hazardous undertaking. West Virginians understand these problems.

Everyone who understands the situation or who is charged with the duty of enforcing the prohibition law in West Virginia agrees that West Virginia should be in a unit by itself; that it would be more economical for the Government; that there would be better cooperation and more satisfactory enforcement.

At present the Volstead Act is enforced in West Virginia by the State law. Federal warrants are not used. In practically all cases warrants for search and seizure and for arrest are issued by justices of the peace. Arrests and searches are made under these warrants, and then in a large number of cases information is filed in the Federal courts against those taken into custody under the State warrants. Practically all search and seizures and arrests are made by the State constabulary, in many cases assisted by the county sheriffs and State prohibition officers. It can readily be seen that under this system, to have successful cooperation for the enforcement of the law, Federal officers should at least have considerable acquaintanceship with State officers. Were West Virginia in a unit by itself more harmony would prevail.

I have given this matter considerable study for the past year. I have talked with prohibition agents; I have talked with officials of the Federal courts in both the northern and southern districts of West Virginia. I have a letter from Hon. William E. Baker, judge of the District Court for the Northern District of West Virginia, who says:

> I have observed for some time past that enforcement in the northern district has not been as efficient as it formerly was. * * * It is my personal opinion that should West Virginia be made a separate unit with West Virginians in charge, and rules and regulations prescribed that are applicable to West Virginia—which might not work in Pittsburgh or Pennsylvania—we would have much more satisfactory administration of the prohibition law than we have had in the past year or so.

And a letter from Hon. Arthur Arnold, district attorney for the northern district of West Virginia, who says:

> There has been, is, and will continue to be a prevailing and overwhelming sentiment among West Virginians for the creation of the State of West Virginia as an individual unit in the administration of the national prohibition law. I am strongly in favor of such action, and if the Prohibition Bureau in Washington were at all familiar with the geography and topography of the State of West Virginia and knew West Virginians and understood the situation as we do, the bureau would not hesitate to take this desired step, because of the benefits not only from an administrative standpoint but from the viewpoint of enforcement itself. * * * West Virginians will not be satisfied until it is accomplished.

And a copy of a letter sent by Hon. Russell Furbee, assistant district attorney, to Judge Baker, in which he says, in part:

> When I first assumed the position of assistant United States attorney and for about a year and a half thereafter West Virginia was a separate unit, as you know, and I sincerely say that during that time we had in this district, in my opinion, the most successful Federal prohibition enforcement that we have ever had. I think that you will recall that we had more good cases and a much larger number of prohibition cases than we have had at any time since. It may be that the system that is now in vogue as compared with the system then in vogue is responsible for this difference, but I can not make myself believe that the system could bring such a material difference. I believe that when West Virginia was a unit by itself that the agents had more confidence in each other; there was a greater spirit of cooperation and loyalty to each other than is now in vogue. I believe that they felt more keenly their individual responsibility and were given probably more latitude in working out means for prohibition enforcement. The same trouble with enforcement that was brought out when West Virginia and Virginia were together has not been removed since West Virginia has been attached to Pennsylvania, and I know that every effort has been made to eliminate the same. And I can not help but think that the difficulties encountered now are due primarily to rules and regulations prescribed which would apply in Pennsylvania, but would have very little, if any, application in West Virginia. I say this because I am convinced that the prohibition enforcement problems are different in the two States, and the methods to be used in the two States of necessity must be different.

And a letter from Hon. H. N. Bradley, former assistant prohibition administrator for West Virginia, who said:

> * * * Our citizenship should not be placed in the embarrassing position of being tacked on to the tail of western Pennsylvania nor any other subdivision of a State.
>
> We now have men in the service in West Virginia who have spent years in the service, and have been through the mill of experience with reference to this matter and have weathered the storm, and their character is above reproach. They stand well in their community, have the confidence of and the respect of all good citizens. It is not necessary for me to name them, but in your own city of Wheeling there is one George Heide, who has been in the prohibition department for more than five years, has forgotten more about the enforcement of prohibition than some of the fellows who are over him will ever learn. * * *
>
> To my mind, prohibition can not be enforced successfully unless the men engaged in the service have the confidence and respect of the good citizens of a community in which they are working. We do not confide in men that we do not know, nor give information to agents who are strangers, nor "cast our pearls before swine." To successfully solve this great problem we must have men in the service with tact, rigid honesty, moral stamina, sound judgment; impelled by patriotic motives, familiar with the conditions as they are, and a sincere desire to see West Virginia go forward in this matter in a proper way.
>
> The agents in the service must have as a leader a man in whom they have confidence, one that is in friendly relations with the local authorities in the several subdivisions of the State, a man who is capable of leading rather than driving men, and also, and possibly the most important, he should be a man who will see that all violators are brought to justice on evidence secured in a proper way, so that the United States attorney's office can submit the evidence with confidence to the Federal judges, and the juries composed of men within the State who are to pass on each case and arrive at a verdict according to the evidence produced. This can not be done, in my opinion, by people outside the State who have no particular interest in the peace, welfare, and best interests of the citizenry of the Commonwealth.

And a letter from Judge George W. McClintic, judge of the District Court for the Southern District of West Virginia, who lately called upon Prohibition Commissioner Doran personally and urged the necessity of West Virginia being placed in a separate unit. Judge McClintic says:

> The Federal prohibition department has ceased to function in this district. It is true that they might get their names on a lot of warrants, but they are simply taking other people's thunder and not showing any work of their own. I went to the Prohibition Commissioner with the hope that we could get some West Virginians who understood West Virginia and who were at least able to stand up in the eyes of the public and pass inspection as prohibition officers. * * * I appreciate your good intentions and hope you will be successful.

And I have other letters from prohibition agents, all recommending that West Virginia be placed in a separate unit. Senator GUY D. GOFF and practically the whole of the West Virginia delegation in Congress favor this movement. Senator GOFF wired Doctor Doran as follows:

> I am strongly and earnestly in favor of making West Virginia a separate unit. I am unalterably opposed to tying our State to Pennsylvania. It is impracticable, as the loose enforcement of the prohibition law in many of the larger areas of the State proves. * * * I am governed solely by facts and not in any instance by opinion.

I have no personal interest in this matter, but am moved solely by the fact that I want the great State of West Virginia to have a square deal, and am willing to use every effort to have the State placed in a separate unit for prohibition enforcement, in so far as it is in my power to bring it about. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD relative to radio legislation, and in connection with those remarks I wish to insert an article written by Congressman DAVIS, of Tennessee.

The CHAIRMAN (Mrs. KAHN). The Chair does not think the gentleman can do that in committee; it is in order to do that only when the House is in session.

Mr. ABERNETHY. Very well.

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. Gentlemen of the committee, a friend of mine, a Member of Congress, asked me a short while ago when I was going to make a tour of Europe. He said he had visited some very interesting places over there. I told him that whenever I had completed a tour of the United States, and familiarized myself with my own country, I might then consider making a tour of Europe or going into foreign countries. Some day, gentlemen, I want to visit the great State of Iowa, the home of my friend, the chairman of this subcommittee on agricultural appropriations [Mr. DICKINSON]. I want to see the splendid hogs they raise up there. I want to see where you finish Texas beef, which we some day will and should now finish at home, and then ship it back to Texas to be consumed down there by our producers, after feeding it your splendid Iowa corn I hear so much about. I want to visit the granite hills of the great State of New Hampshire, from whence comes my good friend, Mr. WASON, a valuable member of this subcommittee on agiculture appropriations. Also I would like to visit the great State of Maine, the home of my affable friend BEEDY, and the State of Washington, from whence comes another member of this subcommittee, Congressman SUMMERS, who has aided me in getting agricultural and livestock appropriations. I have never had that pleasure. I was on the edge of Washington at one time, but did not get far across the line. I believe that every man who represents a district in Congress ought to visit every part of this great Republic, and familiarize himself with the needs of all our people—he would be in a position to make a better Congressman. That is my judgment. Gentlemen, I want to be fair to every interest when I cast my vote, and first-hand knowledge enables you to be fair.

Now, let me say, gentlemen of the committee, before I take up the subject which I want to discuss briefly, that I appeared before the subcommittee, which prepared this appropriation bill, twice. The great livestock and agricultural interests of my district asked a great deal in the way of appropriations that would be beneficial in the better production and sale of their products, and the protection of same from pests and disease. I want to say to you, after reading this bill, and I have read it carefully, that in my judgment, not only have the great livestock interests been taken care of to a greater extent than in any other measure I have ever seen come before this House, but the agricultural interests all over this country have been fairly well taken care of. [Applause.]

I want to say that in behalf of this subcommittee, and furthermore I want to say that I never received more courteous treatment than I received from this committee. I trespassed upon the time of this subcommittee longer than I felt their patience should permit in presenting matters affecting the livestock and agricultural interests of my section of the country, but they heard me patiently and exhibited a sympathetic attitude.

Now, as to the minority members—the two Democrats on this committee. The gentleman from Texas [Mr. BUCHANAN] is a very active and able member of this committee, and is a man who has given careful study to the problems of agriculture and the livestock producer. Of course, if you would hear us joke one another, you would think we might be angry, but that never happens. I have known the gentleman for 25 or 30 years. He was up in years when I first knew him and I was a young boy. [Laughter.] I want to say to you that in those days he was an able official, and I say this in all seriousness of my friend BUCHANAN. We have been friends for 25 years, and we will be friends until the eyes of one of us close in death. [Applause.] I want to say this in regard to that gentleman. He was an able district attorney, and has the best record, I believe, of any man who has ever held that position in my State. He prosecuted men whether they were worth millions or came from among the humble class. He prosecuted them if they were guilty, but he did not prosecute innocent men. He was that kind of a just and fair man. He was an able representative in the Texas Legislature, and fought for the interests of the farmer and stockman, as he tries here to represent every part of this great State in these great industries which his committee represents. I have often said, and this is no campaign declaration, that if the people in his district knew him as we know him here, and this applies just as strong to the Republican Members as of his own party, there would never be any opposition to JAMES P. BUCHANAN. [Applause.]

Also my good friend from Louisiana, the Hon. JOHN N. SANDLIN. He has been a distinguished member of the district bench in that great State. He has given great thought to the problems that have come before this subcommittee affecting agriculture and livestock, and his counsel carries great weight with both parties when this bill comes before us for consideration.

Gentlemen, as far as I have been able to ascertain—and I took this bill home and read it last night—I have not very many suggestions to offer. I feel they have done the best they could and stay anywhere close to the Budget estimate. I will say to my good friend from Washington whom I see directly in front of me, Doctor SUMMERS, that you gentlemen deserve the praise of this House in your earnest endeavor to look after all portions of our country in making up your final estimates. I did not get everything I asked for, but I think probably I got everything you could give me without greatly raising the Budget estimate. I feel that, as a matter of justice to this subcommittee, I ought to make that statement.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. DICKINSON of Iowa. As far as the chairman of the subcommittee is concerned, and I believe I voice the sentiment of the other members of the subcommittee, the gentleman is always welcome before our committee.

Mr. HUDSPETH. Thank you, sir. I know I have been made to feel that way; not only myself, but I saw dozens of other gentlemen there, from Kansas and from other States, presenting matters that I knew nothing about, such as the Japanese beetle, and so on. Every one of them got a most sympathetic and respectful hearing and were heard with a patience that I have never seen exhibited in many other committees. They were permitted to explain their propositions at great length and were received with the greatest courtesy. They were received with that courtesy which is due from one gentleman to another. I feel that, in justice to these members, I ought to make that statement, because I appeared before the subcommittee probably a greater number of times than most other Members of this House.

I appeared before the subcommittee with regard to the loco weed, a weed which greatly affects livestock in my country. That was something which was new to you gentlemen but was not new to us out in the great livestock section of west Texas. I wanted something done which would enable my people to produce better beef and more beef, and the subcommittee was kind enough to include an appropriation for a survey of the loco weed in order to see what can be done to destroy it finally.

I secured $15,000 for eradicating the blowfly, which produces the screw worm, and $50,000 additional for the grub in the backs of cattle, which damages the hide, which will enable the Federal Government to eradicate same; and a substantial increase for Texas especially, and throughout the country, of the appropriation for the destruction of predatory animals, rodents, and rats that destroy valuable crops.

I feel that a committee which has brought out a bill as fair as this bill appears to me to be ought to be commended by this House.

Now, there is a serious question which confronts my people to-day, or a great many of them. It is the pink bollworm. So far as Texas is concerned, it has only appeared in the district I try to represent here this year and one county in my friend Congressman JONES's district. It is a serious pest. It might destroy the great cotton-producing section of Texas; and this subcommittee has recommended an appropriation of $687,000, if I mistake not, for that purpose, $200,000 made available at once, which I insisted upon to my friend BUCHANAN, and he brought it out, or greatly aided.

Therefore, when this committee brings in an appropriation of $687,000, of which $200,000 is made available at once by the Federal Government, to join with my State to investigate and control this great menace that is now in six counties in my district in the northern part and in two counties in the southern or Big Bend section, it is starting a great work for my farming people, and I thank them.

Now, this does not mean the creation of a noncotton zone. But if any zone is declared, it should be only, in my judgment, and from what information I have received from reliable people in that section, a regulated zone where cotton is permitted to be planted.

If a noncotton zone is declared, there is an erroneous idea in my State in the minds of many people that the Federal Government does pay for all the damage. Heretofore the Government has paid, as I understand it, one-third where they absolutely blot out the planting of cotton in a certain district for five or six years. I am of the opinion that the Federal Government should pay at least half, and in this case, where the State has no funds, and, as our legislature is not in session, and a noncotton zone may be declared by the Texas Pink Bollworm Commission, then our Government, as a just remuneration to our farmers, should at once appropriate sufficient money, immediately available, to pay all loss if a noncotton zone is declared.

I believe in State rights and the good Democratic doctrines of Thomas Jefferson and Andrew Jackson, but our farmers should not be out any portion of their losses for a year. No; not for a day. They are mostly poor people and should be reimbursed immediately, and the only immediate way to reimburse them is through a resolution appropriating sufficient money to meet their losses in noncotton zones, by this Congress. You will understand that the authority to create either a regulated or a noncotton zone is lodged just where it should be, and where it should ever remain, in the Pink Bollworm Commission of Texas. I am opposed to the Federal Government, or any of its agencies, ever being vested with such authority. The State of Texas should never relinquish any such authority to the Federal Government. But the other precedents have been that the Federal Government has paid one-third and the State two-thirds. This can only be done by a decree of the State pink bollworm commission, created by the Legislature of Texas and appointed by Governor Moody; that is, the creation of zones. Then the Federal Government comes along and necessarily ratifies that action.

Lots of my people have wired me to have the Federal Government not to create a noncotton zone. The Federal Government does not create any zones at all. The only way they might protect the people of another State is to establish what you might call a quarantine. If the State did not regulate it, if the State did not declare a noncotton zone, the Government could decree that no cotton should be shipped out of Texas if the pink bollworm was thought to be such a menace to other cotton-growing sections. The only way they could come near to creating a zone is to declare a quarantine around my State, they tell me, if the State failed to take necessary action.

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

Mr. HUDSPETH. Gentlemen, I thank you and this committee for the great consideration shown my people. [Applause.]

FURTHER MESSAGE FROM THE SENATE

The committee informally rose; and Mr. RAMSEYER having assumed the Chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill and joint resolution of the following titles:

H. R. 10298. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Orleans, La.; and

H. J. Res. 223. Joint resolution making an additional appropriation for the eradication or control of the pink bollworm of cotton.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 10286) entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. REED of Pennsylvania, Mr. JONES, Mr. WARREN, Mr. HARRIS, and Mr. FLETCHER to be the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL

The committee resumed its session.

Mr. BUCHANAN. Mr. Chairman, I am going to yield myself one-half minute to make this statement. There are 20 Members on this side of the House who have requested time and have as yet not been accommodated. The number of minutes requested ranges from 10 minutes to 1 hour. I want to state to them here and now that it will be impossible and an injustice to those who have not been accommodated to grant any extensions of time to those who are accommodated in the future. Therefore I hope that no man will ask for an extension of time at my hands because if he does, he will not get it.

I yield 30 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman and gentlemen of the committee, the Committee on the Merchant Marine and Fisheries yesterday afternoon filed a report on a bill which would have the effect of amending the radio act of 1927. This act in general provided that all radio service must be equitably distributed and allocated to the various five zones into which the country is divided. The division has been on the basis of service.

Some of the Members of the House, finding fault with that manner and type of division, have influenced the committee to formulate a new doctrine of division, so that in the language of the reported bill, section 9 of the radio act of 1927—shall be amended by striking out the second paragraph and inserting in lieu thereof the following:

"The licensing authority shall make an equal allocation to each of the five zones established in section 2 of this act of broadcasting licenses, of wave lengths, and of station power, and within each zone shall make a fair and equitable allocation among the different States thereof in proportion to population and area."

In other words, they seek to divide the country, not along the lines of service but that the division shall be along the lines of station power and stations. We might term this amending clause the "equal-license clause."

Radio, gentlemen of the committee, affects intimately the lives of some 30,000,000 people of this country. Probably one-fourth of all the families in the United States listen at some time or other to radio broadcasting programs. So you see the matter is of considerable consequence, and it is important that the men and women of this committee should know exactly the nature of this amendment.

There are 680 stations. The number of stations varies from day to day in pursuance of changes made by the Radio Commission. One hundred and twenty-six of these stations split time—that is, they split the same wave lengths. Five hundred and fifty-four of them operate simultaneously. So that in the main we might say there are 554 stations operating at one given moment in the United States.

The chairman of the Committee on the Merchant Marine and Fisheries, Mr. WHITE of Maine, in his report on page 3, says there are 701 stations. Mr. DAVIS, the gentleman from Tennessee, also indicated the other day there were 701 stations. Their figures are not accurate. At this writing I am informed by the Radio Commission that there is a total of but 680 radio stations. Deducting therefrom the number of stations that split time and wave length there are actually but 554 stations. Both Mr. WHITE and Mr. DAVIS have allowed this error to creep into their figures and their conclusions must therefore necessarily be askew.

Now, how are these 554 stations divided, or how were they divided and allocated by the Radio Commission which has been functioning for just one year?

In the first zone, which takes in the New England States and the eastern seaboard with a population of about 23,000,000, there are 95 stations with station power of 202,400 watts.

The second zone, which takes in the States of Michigan, Ohio, West Virginia, Kentucky, Pennsylvania, and so forth, with a population of about 24,000,000, has 93 stations, and a station power wattage of 103,700.

The third zone, which takes in practically all the Southern States, has a population of about 25,000,000, and has 88 stations with a wattage station power of 45,570.

The fourth zone, which takes in such States as Illinois, Indiana, Missouri, Iowa, Minnesota, North and South Dakota, Kansas, with a population of about 25,000,000, has 166 stations and a station power wattage of 139,000.

The fifth zone, which takes in the Pacific coast, has a population of a little over 9,000,000, with 112 stations and a wattage station power of 60,620.

Herewith find a table which indicates the zones, stations, and power:

Zones	Average population	Number of stations	Power in watts
First	23,000,000	95	202,400
Second	24,000,000	93	103,700
Third	25,000,000	88	45,570
Fourth	25,000,000	166	139,000
Fifth	9,213,920	112	60,620
Total	105,000,000	554	551,000

I was curious to discover how the stations were divided in terms of Congressmen and Senators, figuring 435 Congressmen and 96 Senators. The following table is interesting:

	Power per Member of Congress	Station per Member of Congress
Zone 1	1,771	0.833
Zone 2	942	.863
Zone 3	367	.710
Zone 4	1,123	1.340
Zone 5	1,010	1.900
Zone average	1,041	1.045

It will be noticed that there is approximately one station for every Representative and Senator. See how close the average is between zones 1, 2, and 3.

Now, complaint has been registered in the House that zone 3, the southern zone, did not receive a fair deal at the hands of the Radio Commission. Members claim that they have the largest number of people living in that zone, and they have the least number of stations.

There may be some just cause of complaint on the part of the South, but know this, my good friends, radio is a new art, or a new science, if you wish. Not very much has been discovered with reference to it—much remains to be discovered in this art or science and it would not be well to tether or circumscribe it with too rigid legislation. We must give it an opportunity to spread, an opportunity to develop. We should not be guided by the adoption of some mathematical formula that stations shall be equally divided, because you know and I know and those of us who use the radio know that stations like WEAF and WOR and KDKA may be heard all over the United States, and that WJZ in the State of New Jersey can be heard in every nook and corner of any hamlet of the United States, in the Virgin Islands, and in Porto Rico and has actually been heard in every continent on the globe. It matters not where a station may be. It is where it is heard that counts. It is the service it renders that matters. So we must not use mere figures or numbers to determine what shall or what shall not be the policy. Merely dividing the country equally as to stations will not help us. We must allow the question to be solved by the best engineering talent.

But I fear the Committee on the Merchant Marine has not followed that procedure; they have been interested too much in figures or mathematics. They have lost sight of the fact that the business at hand is of a highly technical nature. Too much sectional politics has crept into the discussion.

Now, the committee in its amendment provided that there shall be this equal distribution—equal numerical distribution—as though the stations throughout the country were a sort of pie with one-fifth of the pie to be given to each of the five zones.

There are three methods of procedure open to the Radio Commission if you pass this amendment:

First. Increase the power and stations of the lowest zone to the maximum.

Second. Equalize the stations and power of all zones, but do this gradually over a period of time.

Third. Reduce all zones to the minimum.

The amendment in question forces you to adopt the third method. There is no choice as we shall see. Let us examine the first suggested method; that is, to scale up those zones which are insufficient in power and stations to the maximum.

You would bring up zone 3 with 88 stations and the station power of about 45,000 watts; bring it up to the station power, say, of zone 1, New England, New York, and so forth, with a station power over 200,000 watts and 95 stations. Radio engineers tell us that you can not do that; to do that would make confusion worse confounded, because the radio spectrum would become blurred as it were, or, to use another figure, the bucket is overflowing. We have too many stations already and we can not add to them, or rather add to the number of wave lengths, without causing a great deal of havoc and confusion.

Then again if you adopt that policy of lifting up the lower-power zones to the higher-power zones it does not follow that the radio broadcasting owners in the South would willingly make application for higher power or more stations. You can not force them to come up to the standards that exist in other zones. So that method of procedure fails. Then, from the scientific standpoint, it is quite impossible.

What is the second method of procedure? It is a gradual equalization in order to give some sort of satisfaction to the Members of this House from the South and from some of the other complaining zones—although I must say at this moment I believe most of the complaints have come from the Members from the Southern States and not elsewhere—I would create an equalization, but would do it gradually, not with one fell swoop, not suddenly, as you require it to be done by this proposed amendment. The amendment uses mandatory language. Those of you who are familiar with the interpretation of statutes and the construction of various acts know that where the word "shall" is used—and you use the word "shall" in this amendment—those who are in authority to enforce the act must act. They have no discretion. It is their duty mandatorily to put into effect the provisions of the act. In this amendment you do not give them time. You say that it must be done, and since the amendment will go into effect immediately, then this so-called leveling process would have to go into effect immediately. I say that that is wrong. You could easily do it within a proper time, and if a proper amendment were brought forward I would willingly support it. I am told that of the 554 simultaneous stations—that is, stations operating at one given time—300 can be taken off the air "for cause." When I say "for cause" I mean for legal cause, because the radio act provides that proceedings may be instituted against stations which offend against the radio act of 1927 or which offend against the rules and regulations laid down by the Radio Commission. Numbers of those 300 stations have been guilty of "jumping" their wave lengths, and others have been guilty of failing to abide by orders of the commission, which confines their broadcasting to certain periods of time.

As a result of the disobedience of the mandates and orders of the commission, some 300 of these stations can be taken off the air. Then what would follow? There is the opportunity to the men from the South. They could insist, and rightly so, that those stations and the station power inherent in them be given to zone 3, and then without any undue disturbance, with all fairness and justice, there would be brought about a just and equitable distribution of stations.

The third procedure, which is the procedure of this amendment, is that there would be a scaling down to the lowest level. There is no other alternative left. All of the other zones which have preponderance of stations would have to come down to the level of zone 3, and there would have to be taken from zone 1 a number of stations to make an equal distribution and division between the southern zone and the north and western zones.

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

Mr. CELLER. Yes.

Mr. McKEOWN. I wish the gentleman would explain to this House why the other zones would have to come down to the third zone. The first zone, in which the city of New York is located, is one of the small zones, so far as area is concerned, and has a population of 24,000,000 people, approximately. It is allowed 193,000 watts power, whereas the southern zone, with a large area, with more population, has only 45,000 watt power, and the zone in Pittsburgh and Philadelphia, with 40,000 less population than the first zone, are granted barely more than half the power of the first zone. Why would it be necessary to bring those down?

Mr. CELLER. With all due respect to the gentleman's observation, I believe that he has an improper slant on this whole problem. Let us take zone 1 and zone 3. The gentleman resides in zone 3 and I reside in zone 1. I have taken the trouble the last few days to determine the radio population, not the population in general, but the radio population in zone 3 and zone 1. The southern zone has, shall we say, 30 per cent negro population. It may be more. Does not that have an effect on the situation? Comparatively few of the negroes in the gentleman's State have radio sets, and you can not bunch the colored population together with the white population and base your demands upon the combined total. The gentleman knows that the negro in the South is the victim of great poverty and is unable to purchase radio sets. It is quite improper to use general population as a standard. The test is, what is the radio population?

Mr. McKEOWN. Will the gentleman give the committee information as to what per cent of the people own radio sets, as compared with the North, and also will the gentleman tell the House in counting radio population the difference between an unfortunate negro population who do not have many receiving sets, and a lot of foreign population that can not understand the English language?

Mr. CELLER. Oh, that is beside the point.

Mr. SCHAFER. Can not they understand music?

Mr. CELLER. I will answer the gentleman from Oklahoma, however, and say this: I shall be very glad to put into the RECORD the number of people who listen and have receiving sets in the various States of zone 3, and compare that with the number of people who listen and have receiving sets in zone 1. I shall not take the trouble to read the individual States, but I will give you the total. The actual radio population in zone 3, the gentleman's zone, is 1,037,950, and the actual radio population in zone 1 is 1,444,000.

Receiving sets, January 1, 1927

ZONE 3		ZONE 1 (EXCLUSIVE OF PORTO RICO AND VIRGIN ISLANDS)	
Texas	277,550	New York	655,850
Oklahoma	100,750	New Jersey	193,700
Arkansas	52,000	Maryland	81,900
Louisiana	83,200	Delaware	13,650
Mississippi	49,400	District of Columbia	42,900
Alabama	68,250	Connecticut	79,950
Tennessee	97,500	Rhode Island	43,550
Georgia	91,750	Massachusetts	239,200
North Carolina	91,550	Vermont	21,550
South Carolina	48,100	New Hampshire	27,650
Florida	77,900	Maine	44,200
	1,037,950		1,444,100

In rough figures the radio population of zone 1 is just under 50 per cent greater than the radio population of the gentleman's zone, while the said zone 1 has less than 10 per cent more stations than zone 3. That is, zone 3 has 88 stations and zone 1 has 98 stations. Zone 1, with a little less than 50 per cent more population, should have a little less than 50 per cent more stations.

When it comes to station power the amount of watts allotted to zone 3 is insufficient, but who is to blame for that? The South has not petitioned for high-powered stations as has the North. Had such requests been received I do not believe the Radio Commission would have discriminated against the South.

I will also say this: I made direct inquiry of the Radio Commission, and I discovered this, that zone 3 had actually received 12 new stations during the past year, and zone 1 has not received any except one at Saranac Lake, for the veterans in the veterans' hospital, and even then that station was for a very limited period, from 10 o'clock to 12 o'clock in the morning, with a very low power. So that you see the Radio Commission, after all, has been trying to deal out even-handed justice, not only in the gentleman's State, but in mine. It has refused hundreds of applications in the North and the West, and has actually granted 12 applications for new stations in the gentleman's zone.

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

Mr. CELLER. In a moment. The complaint has been made that the farmers are the ones who are suffering from this alleged unfair allocation of stations. I have gone to the trouble to see how the farmers actually fare in the gentleman's State and in the other neighboring Southern States, and I find that comparatively very few farmers have radio sets or listen in on the radio.

Let me read some very significant figures in reference thereto. These figures are as of date January 1, 1927. I tried to get figures to date, but I could not get them. In Alabama there are two hundred and thirty-seven thousand and odd farms, and in that large number of farms we find only some 6,000 radios. Ninety-seven per cent of the farmers of Alabama have no radios. Only 3 per cent of the farmers of that State have radios.

Take Arkansas as another example. Only 7 per cent of the farms have radios. In Florida only 3 per cent of the farms have radios. In Louisiana only 2 per cent have radios. In Mississippi only 1 per cent; in North Carolina, 3 per cent; in South Carolina, 4 per cent; in Tennessee, 4 per cent; in Texas, 8 per cent. The above comprise the States of zone 3. These figures show the reason why there are fewer stations in the South. The station owners only go where there is business; where there are listeners; where there is a demand for the broadcasting of programs.

Now, what is the situation in reference to the farmers in my State? Be it known that we have a great many farmers in New York and in the other States included in zone 1. Forty-two per cent of the farmers in New York have radios; 25 per cent of the farmers in Connecticut have radios; 22 per cent of the farmers in Maryland have radios; 75 per cent of the farmers in Massachusetts have radios; 41 per cent of the farmers in New Hampshire; 52 per cent of the farmers in New Jersey; 64 per cent of the farmers in Rhode Island; 32 per cent of the farmers in Vermont.

Now, what is the situation with reference to the farm population in zone 5, that zone being along the Pacific coast? I am just giving these interesting comparative figures. We find in Arizona 17 per cent of the farmers have radios. We find that in California 34 per cent of the farmers have radios. We find that in Colorado 42 per cent of the farmers have radios. In Idaho, 25 per cent; in Montana, 40 per cent; in Oregon, 34 per cent; in Utah, 7 per cent; in Washington, 28 per cent; in New Mexico, 4 per cent.

In other words, complaint is made that the farmers have not been receiving proper radio consideration in zone 3. But there are comparatively few farmers that have radio sets there, and so, surely, that argument vanishes into thin air.

Mr. McKEOWN. Will the gentleman yield there?

Mr. CELLER. Yes.

Mr. McKEOWN. On what authority does the gentleman give his figures?

Mr. CELLER. I am reading from a volume by a radio engineer, Edgar H. Felix, a member of the Institute of Radio Engineers and contributing editor of the magazine called Radio Broadcast.

Mr. McKEOWN. Does the gentleman contend that when one station in his zone alone has 5,000 more watts than all the stations that he speaks about and which have been licensed in the South—does the gentleman think that is quite fair, in view of the fact that the more area you have, the more power you need, and the more congested the population, the less power you need?

Mr. CELLER. With respect to those stations in New York and those in New Jersey and Illinois, of which the gentleman speaks, the owners thereof were willing to take their chances in 1920 and 1921, but the men in the South, the business men in the South and in other States, were afraid to take the chance. Now, these men having come into the field in the early days of radio, and having spent vast sums of money in the development of radio and in the erection of all these broadcasting stations, equipped with the most delicate and intricate kind of machinery, and having furnished the funds for all sorts of engineering talent for the development of their stations and the promotion of the science and art in general, they are entitled to the advantage. The gentleman from Oklahoma is a good enough lawyer to know this also, that no matter what you do in this House, you can not take away their vested rights, try as you will. Those stations having been in existence since 1921, 1922, and 1923, they have a right to continue. Their owners were the pathfinders. They blazed the trail. They are entitled to their gains.

I say this also, as I said before: There is some justification for the gentleman's complaint, and there is a remedy, but you have selected an improper remedy. You ask that this be done immediately at one fell swoop, and you would force the Radio Commission with mandatory language.

I would have you do it this way: When a station violates the law or a rule or regulation, take that license away. You have a right to do so; and then give those stations and power to your State and the other complaining States.

I will say to the gentlemen from New Jersey—and I would like them to listen if they are in the room, and the gentlemen also from Massachusetts, and Ohio, and Illinois, and Washington, and California—hearken well at the attempt to cut down your stations. Let me read to you what is going to happen in your States if this amendment goes through.

I am sure you will hear from your constituents if you vote for this amendment, and I am informed, gentlemen, that an attempt may be made on the next Monday suspension day to pass this bill under suspension of the rules without any semblance of debate.

Here are the cuts in number and power of broadcast stations imposed by equal license clause:

	Power (watts)		Number of stations	
	Present	Proposed	Present	Proposed
New Jersey	49,000	3,200	25	7
New York	119,000	11,000	67	20
Massachusetts	19,000	3,750	18	2
Pennsylvania	57,000	12,000	33	24
Ohio	23,000	8,000	25	18
Illinois	55,000	8,000	70	15
New Mexico	5,050	2,200	3	4
Washington	10,700	2,200	19	4
California	26,000	9,000	50	17

Mr. McKEOWN. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. McKEOWN. I am interested in the gentleman's statement that these pioneer builders have acquired vested rights in the air of this country. The gentleman is the first man who has had the courage to come and tell us here in Congress that that was the contention of these pioneer constructors, that they have prior rights in the air; but the gentleman will admit that if his pioneer stations should be entitled to 50,000 watts, which is 5,000 watts more than all of the stations in zone 3, that is no reason why you should still retain 193,000 watts as against Pennsylvania, West Virginia, Kentucky, and Ohio, where they have only half the watt power that you have in your zone.

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

Mr. CELLER. May I have additional time in which to answer the gentleman?

Mr. SANDLIN. The gentleman heard the statement of the gentleman who has charge of the time on this side, and in view of that statement I would not feel warranted in yielding further time.

Mr. CELLER. I am sorry I have not the time to answer the gentleman.

Under leave to extend my remarks I offer the following: Commissioner Caldwell, of the Radio Commission, a very able radio engineer, has pointed out that the amendment in question

imposing equal powers and wave lengths would require the reduction of all zones to the level of the least favored. He says:

Since the southern zone (third) has only 45,000 watts total power, this figure would also become the limit of power for the important first zone, which includes New Jersey, the Eastern States, and New England.

Of this 45,000 watts total first-zone power, New Jersey, e. g., would be entitled to its "equitable" proportion under the clause, presumably based upon its population and area. New Jersey has one-eighth of the population and one-twentieth of the area of the first zone. Striking an average between these fractions, we obtain one-fourteenth. One-fourteenth of 45,000 watts is 3,200 watts.

Thus, 3,200 watts would, under the proposed redistribution of the radio-station powers, be the total power available for the entire State of New Jersey, which now has nearly 50,000 watts.

With 3,200 watts available for all 17 stations in New Jersey, several alternatives are offered.

(A) All New Jersey stations might be closed down except the two which undoubtedly have the largest audiences, WJZ and WOR. These stations, with powers and investments, respectively, of, WJZ 30,000 watts, $500,000, and WOR 5,000 watts, $175,000, could then be continued to serve the public; but with their powers cut to, say, 2,600 watts and 600 watts, respectively. So we would have:

	Watts
WJZ	2,600
WOR	600

All other stations closed down.

B. Or if it is assumed that the clause indicates that New Jersey must have its equitable proportion of the total number of stations per zone (which is 93), one-fourteenth of 93 gives, say, 7 stations for your State. Power of 3,200 watts among the present 7 largest stations in New Jersey could then be divided proportionately as follows:

	Watts
WJZ	1,920
WOR	320
WPG	320
WLWL	320
WODA	65
WGL	65
WHAP	65

All other stations closed down.

Similarly, in New York State WEAF and WGY would have to be cut to 5,000 watts each, WNYC to 50 watts, WHN to 50 watts, and so on.

Corresponding calculations can be performed for other States, showing the havoc to radio listeners, East, South, and North, which such a law would bring, for these New York and New Jersey stations furnish programs to the whole country, and particularly to the South.

Much criticism has been heaped upon the Radio Commission and Commissioner Caldwell particularly, and the latter has said some intemperate things about Congress, but when we consider how shabbily Congress has treated the commission, one can not blame Caldwell too much for his becoming impatient and supersensitive. Congress has hamstrung the commission. It appropriated no funds so that the commission could operate, employ experts, or purchase necessary stationery and apparatus. To date, three commissioners have received no salary whatsoever. Three of them are yet to be confirmed by the Senate. These commissioners feel the uncertainty of their tenure. The permanency of their appointment hangs by a thread. No wonder there has been difficulty in fixing a policy. Their path was made all the more difficult by the death of Colonel Dillon in October and Admiral Bullard in November. Added to that, Bellows resigned in November. The present board consists of Caldwell, an engineer; Pickard, newspaper man; Lafount, business man; and Sykes, a lawyer, who is chairman. A fifth man is yet to be appointed by the President. Is not Congress to blame for some of this muddle?

If the amendment goes into effect one third of the radio sets in this country would be rendered useless. One-third of the 7,000,000 sets now in use would be sent to the junk pile by this new provision. Mr. Baker, of the National Association of Broadcasters, says:

Surveying the stations as they are now located, in the terms of this provision, indicates that the commission would have to scale down the power and readjust the allocations in such a way that the highest powered station in the country could utilize only 1,000 watts, meaning that the largest dependable service area of any station would be a radius of between 50 and 75 miles, and this would not be entirely dependable.

The committee entirely disregards the fact that approximately one-third of the receiving sets in use in the United States to-day are located beyond a 50-mile radius from any station. Accordingly, under the terms of this provision, fully one-third of the listeners could obtain dependable service from no radio station in existence to-day.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, your committee reports the Agricultural appropriation bill after more than 120 hours of hearings during which 1,300 pages of testimony were taken. The index lists 550 witnesses, and special subjects considered—as a matter of fact literally thousands of items in behalf of agriculture were considered. The bill carries $132,308,849.88, of which $71,000,000 is for Federal-aid roads and $6,500,000 for national-forest roads and trails. To this may be added $11,010,500 permanent annual appropriation, making a grand total of $143,319,349.88.

The scope of the work done by the department in behalf of producers and consumers of farm products comprises many exceedingly interesting and instructive chapters of scientific and economic endeavor. Time will not permit every Member to consider all of this material. Therefore from this wealth of data I have selected what I believe will give a comprehensive understanding of the bill and the activities of the department.

It is easy to criticize when some bureau does not meet with our approval, but I want to say the value of the Department of Agriculture to this country is beyond appraisal or estimate.

In addition to its own several buildings the department has under lease 22 buildings or parts of buildings in this city. The rentals run from $35,000 down to $360 for an alley structure. Total rentals are $175,300. The department employs 4,831 persons here in the District and 16,871 outside the District of Columbia, a total of 21,702 civil-service employees. A very large number but small in comparison with 308,740 in the Post Office Department; 51,532 in the Treasury; 42,292 in the War Department; 43,425 in the Navy Department; and even less than the Veterans' Bureau, which employs 23,696.

The activities of the department extend around the earth, as my remarks will show, and into the forests and orchards and fields and gardens and herds and into the earth and in the air and into every kitchen in the United States.

Insular experiment stations $246,400

Agricultural experiment stations are maintained at Sitka, Kodiak, Matanuska, and Fairbanks in Alaska. The principal function of these stations is the development of a type of agriculture suited to the respective regions.

Small fruit and vegetable experiments, animal husbandry, grain and forage crops, root crops, stock breeding, dairying, and general farming are studied at the various stations.

The Hawaii station is endeavoring to diversify the agriculture of the Hawaiian Islands without disturbing the major agricultural activities—sugar production and pineapple growing. The station also is supervising boys' and girls' club work on all the islands.

The Porto Rico station is directed to the development and diversification of agriculture in general.

The Guam station is endeavoring to develop a type of tropical agriculture suited to the island of Guam and its people.

At the Virgin Islands station the principal investigations in progress are designed to diversify the agriculture of the islands and develop it along new lines. The principal agricultural industries of the islands at this time are sugar production and stock raising, and the station is giving attention to the problems of plant and animal breeding for the improvement of present stocks. Experiments are in progress for the improvement of corn and for restoring Sea Island cotton production to its former importance.

Farmers' cooperative demonstrations $1,462,640

This appropriation is available for salaries of employees of the Department of Agriculture with headquarters in Washington, general office expenses, and for cooperation with State agricultural colleges in carrying on extension work in agriculture and home economics in all its phases through the payment of field salaries of county agricultural agents, county home demonstration agents, club workers, farm management demonstrators, and the necessary supervising officers located in the various States.

Cooperative agricultural extension work $1,300,000

These funds supplement the permanent annual appropriation of $4,580,000 provided under the Smith-Lever Act of May 8, 1914, paid direct to the State colleges of agriculture as Federal aid for the promotion of extension work in agriculture and home economics. Programs of work and expenditures under Federal Smith-Lever funds are supervised by the Department of Agriculture.

Agricultural exhibits at fairs $103,300

This appropriation covers the preparation and display of agricultural exhibits at State and interstate fairs and expositions. Several million people are reached annually through agricultural exhibits which are designed to instruct as to better practices and encourage their adoption and to present the results of the

department's research and other activities in an interesting and effective way.

Cooperative farm forestry $60,000

This appropriation is utilized in the cooperative employment of extension foresters in the various States who are engaged in carrying out the work specified under section 5 of the Clarke-McNary reforestation act, and provides specifically for assisting owners of farms in establishing, improving, and renewing wood lots, shelter belts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops.

Weather Bureau $2,705,000

Provision is made for continuing during 1929 the maintenance of a radio broadcasting station at Washington, D. C., in the aid of aviation and for employees in Washington engaged upon the scientific meteorological, climatological, river and flood, marine, and solar radiation work of the bureau.

Provision is made for the maintenance of the field stations of the Weather Bureau. One hundred and ninety-six of these are regular stations—that is, stations manned by commissioned personnel, and 1,965 are substations, the observers at which are paid wages ranging from 25 cents per observation to $40 per month.

Horticultural protection $31,500

The field activities in the investigational, observational, and forecast work in the protection of horticulture is of great service to horticultural interests, principally in California, Washington, Oregon, and New York. The employees paid from the appropriation travel almost continuously during certain periods of the year and by means of intensive observational and forecast work enable fruit growers and others to protect their fruit culture from frost by means of smudges, and so forth, to conduct extensive spraying of trees at a propitious time, and to harvest crops with the least danger of loss as a result of adverse meteorological conditions.

Aerology $266,500

These funds provide for activities both in the field and at Washington, D. C., in connection with the protection of air navigation and the aid of general forecasting by means of the study and observations of the upper air. The work in the field is conducted by means of kite flights and theodolite observations on free balloons. Self-recording instruments on the kites give a record of temperature, pressure, humidity, wind velocity, and other meteorological data. Observations on free balloons show the velocity and depth of air currents.

BUREAU OF ANIMAL INDUSTRY

Inspection and quarantine of livestock $732,300

Work done under this head includes the eradication of scabies in sheep and cattle, the States most heavily infected with sheep scabies being Arizona, New Mexico, Wyoming, California, Texas, Colorado, South Dakota, Oregon, and Nebraska, and those chiefly involved with cattle scabies being Nebraska, Texas, Montana, South Dakota, Colorado, Kansas, Wyoming, and New Mexico; the supervision of interstate transportation of livestock at stockyards, involving the inspection of millions of animals, dipping where necessary, and the cleaning of thousands of cars; and the inspection of animals offered for import, maintenance of quarantine stations, supervision of importation of hides, hay, straw, and so forth, inspection of animals for export, and of vessels carrying such animals.

Mr. O'CONNELL. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. O'CONNELL. The gentleman is making a most interesting address. I am very much interested in it, and I would like to ask whether the gentleman can insert approximately how much has been appropriated this year for the Bureau of Animal Industry?

Mr. SUMMERS of Washington. I have not before me the totals for the Bureau of Animal Industry, but I have them for the different activities of the bureau. In the report the gentleman will find the total given.

Mr. O'CONNELL. It is a very important branch of the department.

Tuberculosis eradication $5,736,310

Mr. SUMMERS of Washington. The object of this work is to arrest the spread of tuberculosis among livestock through campaigns for the control and eradication of this disease, in cooperation with State agencies. This appropriation represents the contribution of the Federal Government in the shape of indemnities for animals slaughtered and in the general supervision of the work. The movement was started as a Federal-aid proposition, and the States look to the Federal Government for leadership. Contributions by the States toward the prosecution of the eradication campaigns amount to approximately $11,000,000 per annum. Of the 58,000,000 cattle in the United States 19,000,000 were tested or under observation during 1927.

Eradicating cattle ticks $719,200

This appropriation is used cooperatively for the payment of salaries and travel and office expenses of veterinarians and agents in Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Arkansas, and Texas, engaged in the eradication of the southern cattle tick, which spreads splenetic fever among cattle. As counties are cleared up they are released from Federal quarantine, and their livestock may then be shipped north without restriction. The States generally are contributing larger sums to this work than the appropriations provided by the Federal Government. The work is done under State law and regulation, Federal money being expended for supervision, to insure that all measures of eradication are so carried out as to warrant the release of cleaned areas from quarantine.

Animal husbandry investigations $510,200

Activities under this paragraph include: (1) Studies of problems in sheep and goat production, breeding, and management. The work is done principally at Beltsville, Md., Middlebury, Vt., Miles City, Mont., McNeill, Miss., Newell, S. Dak., and at the sheep station in Idaho. Laboratory studies on wool are also under way. (2) Studies of problems relating to cost of production, grazing, feeding, wintering, fattening, and breeding of beef cattle are conducted in West Virginia, Texas, and several other States. (3) Swine feeding and breeding investigations are also carried on under this appropriation. (4) Poultry studies under way, chiefly at Beltsville, include work on inbreeding, the influence of thyroid in the ration on feather growth as connected with molt, on inheritance of egg production and egg hatchability, egg shape as a determining factor in sex, and value of vegetable proteins as food for poultry as contrasted with proteins from animal sources in relation to improved egg production. (5) Other work under this item includes studies of horse breeding, feeding, and management chiefly at Middlebury, Vt., and in Wyoming, genetic and nutrition research performed at the animal husbandry farm at Beltsville, Md.

Diseases of animals $266,140

The general investigational work relating to animal diseases is done under this appropriation. Some of the more important problems now being studied are contagious abortion, including field and laboratory work at Bethesda, Md., and here in Washington; stock poisoning by plants, including summer studies in the Rocky Mountain region and laboratory work in Washington; round worms and other intestinal parasites of sheep at McNeill, Miss.; internal parasites of hogs, and the development of the McLean County, Ill., system of sanitation at Moultrie, Ga.; studies of anthelmintics and mange mites; miscellaneous pathological and biological studies. The pathological experiment station at Bethesda, Md., is maintained under this item.

Eradicating hog cholera $463,070

Hog cholera control work is now carried on cooperatively with 32 States. In carrying out the control work, Bureau of Animal Industry veterinarians stationed in cooperating States investigate reported outbreaks, make autopsies to diagnose the disease, hold demonstrations of the serum treatment, train laymen to administer this treatment in sections where there are no veterinarians, give advice on disinfection, and address meetings of farmers on the subject of hog cholera and its control; in short, keep in close touch with conditions and render expert aid on the spot.

This item also provides for the enforcement of the virus-serum toxin act. This work requires the inspection in 60 cities of 91 establishments producing anti-hog cholera serum, hog-cholera virus, aggressins, bacterins, vaccines, and so forth. All animals offered are closely inspected, and all operations supervised to insure the production of effective protective remedies.

Hog-cholera research work which resulted in the discovery of the serum now used to combat cholera, is now directed to perfect the method of immunization, first by cheapening it, and second by obviating failures that now occur at certain times.

Eradicating dourine $27,800

Dourine, a syphilitic disease of horses, is found now in Arizona and South Dakota, almost entirely on the Indian reservations. In combating the disease the Office of Indian Affairs takes samples of blood of suspected horses, and these samples are sent to the laboratories of the Bureau of Animal Industry for testing. The results of such tests are reported back to the Indian Office, and horses which show presence of the disease are slaughtered, and the owners indemnified by the Indian Office. The Bureau of Animal Industry also investigates reported cases of dourine outside of the Indian reservation.

Enforcement of the packers and stockyards act $410,000

The packers and stockyards act is designed to prevent and correct irregularities or abuses that may exist in the operations of persons engaged in the livestock and meat-packing industry. Unfair, unjustly discriminatory, or deceptive practices, the control of prices, or the establishment or monopolies in connection with the buying or selling of livestock in commerce, and the handling of meat or meat products in commerce are defined as violations. Provision is made for supervision of rates and charges of stockyard owners and market agencies at public markets. The act requires that rates and charges shall be reasonable and nondiscriminatory. The Secretary of Agriculture may fix such rates and charges.

Meat inspection $2,218,400

This fund, together with a permanent annual appropriation of $3,000,000, is used for the purpose of enforcing the provisions of the meat inspection act. This law requires that all meat or meat food products transported interstate or abroad be inspected by the Federal Government.

Eradication of foot-and-mouth and other contagious diseases of animals $100

It is well understood that the sum specified would be utterly inadequate to meet the expenses of any outbreak of foot-and-mouth disease. In each case Congress has provided sufficient funds in special enactments in deficiency acts. The present item provides that where an emergency exists which threatens the livestock industry the Secretary of Agriculture may make expenditures from any unexpended balances of appropriations heretofore made by Congress for foot-and-mouth disease.

Several outbreaks of foot-and-mouth disease have occurred in this country. It is the policy of the department to employ the promptest and most strenuous measures to stamp out the disease the moment it appears in order to guard the immense livestock interests of the country from tremendous losses.

Dairy investigations $452,000

Under this appropriation scientific investigations of the fundamentals of the dairy industry are conducted. These investigations embrace (a) the breeding, nutrition, and management of dairy cattle, with a view to increasing the average milk and butterfat production of dairy cows through the application of scientific and economical methods; (b) market milk investigations involving research in sanitary methods for improving city milk supplies, studies of the relative efficiency of different types of dairy machinery, the relative efficiency and economy of various methods of sterilizing dairy utensils on the farm and in milk plants, efficiency of milk-plant operation, transportation of milk, and studies of factors affecting the commercial value of milk and cream, such as the effect of various feeds on the flavor and odor of milk, viscosity of cream, foaming of milk, and so forth; (c) laboratory investigations of problems concerned in the manufacture and utilization of dairy products and by-products, such, for instance, as the manufacture of Swiss and other so-called foreign cheeses, investigations of the bacteriological and chemical problems of milk, as grading milk for manufacturing purposes, the taxonomy and physiology of the casein-digesting bacteria of milk, and factors which affect the lactic-acid fermentation, condensing and evaporation investigations to ascertain the causes of coagulation of evaporated milk in sterilization, manufacture of milk powders, including methods of making skim-milk powder especially adapted for bread making, the improvement of the keeping quality of milk powder, the effective utilization of skim milk through the manufacture of poultry feeds, the discovery of processes for the manufacture of other by-products such as the separation of the protein from whey in soluble form, and such investigations of bacteriological and other problems in the manufacture of ice cream; and (d) investigations of dairy manufacturing problems on a commercial scale, the introduction into new territories of improved processes for the manufacture of butter, cheese, and other dairy products and by-products; investigations of methods for increasing milk and butterfat production of dairy cattle through dairy herd improvement and bull associations; the introduction of such methods as are found most efficient; inspection of renovated butter factories; and the supervision of the packing of butter for the United States Navy.

BUREAU OF PLANT INDUSTRY

Pathological laboratory $114,440

The problem dealt with in this laboratory involves laboratory, greenhouse, and field experiments with bacterial and fungous diseases and the various field and garden crops and ornamentals.

The plant-disease survey project covers the study and recording of the geographical distribution, prevalence, and rate of spread of plant diseases in the United States, and estimates of losses caused by plant diseases.

The mycology project covers the collection, preservation, and identification of all plant parasites and other fungi having relation to injury or destruction of economic plants and plant products. Investigations in mushroom culture are also carried on.

Fruit diseases $174,400

The work under this paragraph includes the investigation of diseases of fruits and fruit trees, including citrus and subtropical fruits, grapes and small fruits, the fruit rots and decays, and the diseases of the pecan and other nut diseases. Experiments are conducted on a large scale in the control of fruit diseases by spraying, by disinfection, by eradication, and by other methods.

Citrus canker eradication $40,000

The Bureau of Plant Industry, in cooperation with the Gulf States, is conducting a campaign for the eradication of citrus canker, a bacterial disease of citrus fruits and trees, by the thorough inspection of nurseries and citrus groves, formalin treatment of infected soil, protective spraying of groves exposed to infection, and destruction of diseased trees. As a result of the vigorous campaign, the disease has been practically eliminated, but scattered infections still occur sporadically.

Forest pathology $150,000

The work done under this paragraph consists of investigations of such diseases of forest and shade trees as are of serious economic importance, with a view to the control of these diseases. Examples of diseases under investigation are the white-pine blister rust, the chestnut blight, the heart rot of Douglas fir, and of many other tree diseases.

Blister rust control $445,020

Under this item cooperative programs are conducted for the suppression and control of white-pine blister rust. Control programs in the eastern and western United States are being prosecuted jointly by the department and the responsible State agencies in the affected States.

Vegetable and forage diseases $200,500

Investigations are carried on dealing with diseases affecting potatoes, vegetables, forage, and other crops, including incidental work on cotton and ornamentals, to determine their cause, the conditions of temperature, humidity, and so forth, under which they develop, the localities where they are most serious, the losses incurred, the methods of disease transmission from plant to plant and field to field, the means of overwintering, and, finally, to develop control measures for the various troubles. Investigations are also carried on in cooperation with the Bureau of Agricultural Economics in connection with the transit, marketing, and storage of vegetables, to determine the cause of the trouble encountered, and whether they originate in the field or after shipment.

Crop physiology and breeding $90,160

The following work is conducted hereunder: Citrus breeding, undertaken primarily to secure new oranges, lemons, and similar fruits equal in quality to the standard sorts now grown commercially in the United States, but possessing a greater degree of resistance to cold and disease; date culture and breeding, with the object of establishing commercial date culture in the United States; incidental breeding work on dates to create new varieties especially suited to American conditions; and Smyrna-fig culture and breeding work.

Plant nutrition $16,780

Plant-nutrition investigations deal with the growth, development, and composition of plants as affected by the length of day, the influence of certain crops on other crops following in the rotation, the plant-food elements, and the relative plant-food requirements of crops commonly grown in rotation. The work is carried on with the same personnel as the tobacco investigations.

Cotton, rubber, and other tropical plants $255,800

The work under this item is directed chiefly to acclimatization and adaptation in the southern and southwestern United States of varieties of cotton, corn, and other crop plants of tropical origin; the breeding of superior varieties of cotton and the improvement of cotton-culture methods under boll-weevil conditions; and investigations of rubber-producing possibilities in the United States, Philippine Islands, West Indies, Canal Zone, and elsewhere in tropical America.

Work in hard-fiber production is carried on in the Philippine Islands and Porto Rico, flax in Michigan and Oregon, and hemp in Wisconsin and Kentucky.

Drug and other plants $58,200

Scientific studies are made of the methods of producing, drying, and preserving crude botanical drug crops which may be grown in this country, such as safflower, hemp, and perilla, the oils from which are a satisfactory supplement to linseed oil. Work is also in progress on the introduction and establishment of essential oil crops, the products from which are extensively used by the manufacturers of perfumes and medicinal preparations. The successful introduction of the Japanese mint plant, from which the commercial supply of menthol is obtained, is a conspicuous example.

Nematology $54,340

These investigations deal primarily with the study of minute eel-worms or nemas, certain species of which infest the roots of important crop plants and seriously injure them. Some species of nemas are found to be beneficial, destroying insects or other species of injurious nemas.

Seed laboratory $70,000

Samples of seeds submitted by farmers, seedsmen, and others are tested to determine the proportion of pure seeds present, the kinds and proportion of weed seeds present, and the germination of the pure seed. In enforcing the Federal seed act, samples of all shipments of seeds subject to the act are drawn by customs officials at the time of entry. These samples are examined to determine whether or not they comply with the requirements of the Federal seed act. Each year collaborators are appointed who collect from seed dealers samples of various commercial seeds. These are examined for the presence of adulterations, and purchases based on these samples are made through the collaborators. The analyses of the purchase lots which are found to be adulterated or misbranded, together with the names of the dealers from whom purchased are published. This form of publicity has eliminated in a large way the sale of adulterated or misbranded forage-crop seeds in the United States.

Cereal crops and diseases $745,000

Cereal investigations cover methods of production, methods of improvement, and methods of control of the diseases of wheat, rye, emmer, spelt, oats, barley, rice, corn, grain sorghums, broomcorn, proso millet, seed flax, and buckwheat; also the eradication of the common barberry, an intermediate host of the wheat rust. The 13 States interested in spring-wheat production are cooperating to eradicate the common barberry throughout this area as a means of controlling epidemics of black stem rust of wheat. Since the cooperative campaign began in 1918, the States have aided the Federal Government in financing the work; in the fiscal year 1927 the 13 States contributed $88,197 and the Federal allotment was $375,000.

Tobacco investigations $60,000

Tobacco investigations include all phases of growing, curing, and handling tobacco, with the exception of tobacco insects and their control. The work consists of observations on the growing plant and technical examination of leaf tobacco produced under specially controlled conditions. The aim is to determine the relation of the chemical composition to the quality of leaf tobacco, the causes of poor burning qualities, relation of the nutrition of the plant to the aroma, color, and other important characteristics, factors controlling the nicotine content, the causes of parasitic and nutritional diseases, the specific effects of each of the nutrient elements on the development of the plant, and the nature of the processes of ripening, curing, and fermentation.

Alkali and drought-resistant crops $23,920

Under this appropriation studies are made to ascertain the adaptability of various crop plants to alkali soils and to soils having a limited water content and to determine the physiological effects of alkali and of drought upon the growth of plants. An important phase of the investigational work is the development of a type of long-staple cotton thoroughly adapted to irrigated land in Arizona and California.

Sugar plants $196,000

Projects under this item consist of a study of the diseases of sugar beet, sugar cane, and sorgo; collection of data on distribution of the diseases; by determination of the nature and amount of losses due to such diseases, laboratory investigations of the biological aspects of the diseases; and the application of control measures determined by field and laboratory experiments. Improvement of the desirable properties of sugar beet, sugar cane, and sorgo, such as increased tonnage and sugar content, resistance to diseases and adaptability to new conditions, are brought about by foreign exploration for new varieties and breeding with stock so obtained.

Botany $47,780

The work carried on under this item includes the identification of plants for the various bureaus and branches of the department and for other organizations and individuals doing similar work. For this work of identification the office maintains an authentically named collection of cultivated plants, and for wild plants it uses the National Herbarium. The domestication and improvement of one of our wild fruits, the blueberry, has been undertaken. These investigations have developed the fact that many wild plants supposed to be difficult or impossible of cultivation can be grown readily if given the types of soil they require.

Dry-land agriculture $208,050

The office of dry-land agriculture was organized in 1905 for the purpose of investigating the problems of the agricultural development of the Great Plains area. This area includes all of Montana, North and South Dakota, Nebraska, Wyoming, Colorado, Kansas, Oklahoma, Texas, and New Mexico lying between the 5,000-foot contour on the eastern slope of the Rocky Mountains and the ninety-eighth meridian of longitude. All this region is classed as semiarid. The normal annual precipitation ranges from as low as 10 inches to as high as 30 inches, by far the larger portion of it, however, having from 12 to 15 inches. The conservation of moisture is the all-important major problem of the agriculture of this entire region. This project can be subdivided into a very large number of minor problems, such as depth and manner of plowing, tillage after plowing for preparation of seed-bed, intertillage between rows during growth of rowed crops, alternate cropping, and so forth.

Western irrigation agriculture $142,095

The object of this appropriation is to investigate agricultural conditions and determine by field studies and experiments in crops, rotations, and cropping methods best suited to successful farming in the arid and semiarid regions of the western United States, and, in cooperation with the Reclamation Bureau of the Department of the Interior and the various State experiment stations interested, to work out methods of improving these conditions.

Nut culture $44,040

These investigations are devoted to a study of the important commercial nut crops of the United States, including almonds, walnuts, and filberts on the Pacific coast, and pecans and other native nuts of the South and the eastern part of the United States. Special studies are being conducted in connection with almonds and walnuts in California and pecans in the South Atlantic and Gulf States.

Pomology $240,000

Fourteen thousand three hundred and forty dollars will be expended for investigations in removing arsenical spray residues and to study the keeping quality of fruits treated for removing arsenical spray residues. The effect of the washing treatment and the incomplete drying upon the keeping quality of apples is of greatest importance, as the preliminary tests indicate the danger of serious rot epidemics. There is great need for experimental work on the use of disinfectants with the wash water and of extensive storage experiments on treated apples.

The work also includes investigations of the production of grapes, deciduous small fruits, citrus, and other orchard fruits and their improvement by breeding or by methods of culture, together with investigations upon improvements in utilization, either by canning, drying, or other forms of preservation, and the behavior of these fruits in transit and in storage. A portion of the transportation studies are carried on in cooperation with the Interstate Commerce Commission.

Gardens and grounds $89,500

This appropriation provides for the maintenance of a range of 32 greenhouses, at which is carried on the following work: The inspection and fumigation of plants; the propagation of blueberries and evergreen shrubs; general hybridization work; seed testing; experimental work with citrus and other tropical fruits; propagation of plants for ornamenting the grounds of the department and those of the Weather Bureau; the growing of a collection of grapevines for miscellaneous experimental work; experimental work with alfalfa, clover, cowpeas, and beans; experimental work with florists' crops, including roses, carnations, and chrysanthemums; producing and growing a collection of hybrid amaryllis bulbs; plant-breeding work; and pathological work of the Bureau of Plant Industry.

Horticulture $140,000

Under this paragraph investigations are conducted on the production, handling, and breeding of potatoes and other truck crops, and on the behavior of these perishable products, with

especial reference to shrinkage and deterioration in storage and in transit. A portion of the transportation studies are carried on in cooperation with the Interstate Commerce Commission.

Nursery stock investigations $21,800

These funds are used for studies relating to the production and uses of fruit trees and ornamental stock under American conditions, to provide the needs of American nurseries. The investigations include apple, pear, peach, plum, and citrus stocks propagated from seed, as well as through vegetative means.

Arlington Farm $57,000

Arlington Farm, Virginia, is used for the maintenance of the facilities required to make the farm a suitable field laboratory for the investigational units of the department in Washington.

Foreign plant introduction $190,000

Foreign agricultural exploration work for the purpose of assembling promising varieties of fruits, vegetables, or other plants for testing in different regions of the United States has been carried on in various parts of the world. Extensive correspondence is carried on with cooperators, botanic gardens, nurserymen, and others in all parts of the world for exchange of new plant material. The new varieties are held under quarantine observation for a sufficient period and later are distributed to cooperators, State experiment stations, and others able to carry on satisfactory tests.

Forage crops $142,500

Ten thousand dollars for expansion work with soy beans and miscellaneous legumes and grasses and of winter cover crops in the South.

Within the past decade the soy-bean acreage has increased from 500,000 to 2,500,000 acres, and new uses for the crop are being constantly developed. The varieties are so numerous and the possibilities of breeding varieties more suitable for oil or for some other quality so great that these trials must be extended rather than curtailed. There is no reason why varieties suitable for forage or for the production of oil, oil meal, or human food should not be developed for most parts of the United States. It is hardly necessary to enlarge on the opportunities waiting for work with velvet beans, cowpeas, Brazilian peanuts, pigeon peas, and other legumes of that type.

Under this appropriation field studies are conducted at field stations throughout the United States, and cooperative relations are maintained with nearly all of the State experiment stations and the insular experiment stations, pertaining to the production and improvement of all crop plants used for forage either as hay, fodder, silage, or pasture; and, incidentally, of all plants used for green manuring, turf production, and soil binding. Among the more important groups of plants concerned in these investigations are the grasses, clovers, alfalfa, sorghums, millets, soy beans, field peas, velvet beans, vetches, melilots, cacti, and lespedezas.

Biophysical laboratory $35,812

Under this item the bureau is charged with the investigation of the physical laws involved in the growth and reproduction of plants. Viewing the growth and reproduction of plants from this angle, investigation of more urgent problems that involve the response of agricultural plants to heat, light, moisture, electric currents, and the chemical composition of the soil are undertaken.

Mr. O'CONNELL. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes; I yield.

Mr. O'CONNELL. Where are those soy-bean locations?

Mr. SUMMERS of Washington. They are grown throughout the United States, as far as I am informed. They are grown in the Mississippi Valley, some out in the far West, and I believe in the far East. This crop was almost unknown in this country a few years ago, but it is now grown in the sections mentioned and in the South.

FOREST SERVICE

Protection and administration of the national forests $6,344,000

During the calendar year 1926 fire destroyed over a billion feet of timber on 596,000 acres of Government land on the national forests. A careful estimate places the damage at over $4,500,000. The public is becoming intolerant of such losses on these vast public properties upon which industry is steadily becoming more dependent for its supply of raw material. The sum of $2,464,808 was expended for fighting fires on the national forests in the season of 1926, and all but a small part of this sum was required to fight fires which should have been checked while small, or prevented altogether had the bureau been properly equipped.

Fighting forest fires, aerial fire control, land classification, sanitation, and fire-prevention equipment and supplies, range investigations, planting on national forests, forest resources, improvements on national forests, distribution of forest planting stock, and many other items, some of which I shall discuss, come under this general head.

The national forests are not fully appreciated by the people of the whole country, and sometimes I think not wholly appreciated by the Members of Congress.

Mr. O'CONNELL. I would say to the gentleman that I have been in most of them and I appreciate them.

Mr. SUMMERS of Washington. They do not belong to any section of the country. They belong to all of the people of the United States. In many of the States from 25 to 75 per cent of the lands are in national forests and public lands, and therefore not on the tax rolls. If on the tax rolls, they would pay $14,000,000 annual taxes to the States. It becomes rather burdensome for some of the States to conduct all of the activities of the State, because of this large area of national forests and public lands lying within them. So it is not always an advantage to have these national forests in a State, because no tax returns come from them and often it is necessary for the State to build the roads leading up to them in order that they may be utilized and sometimes to do a great deal of the work through them; and still we have a pretty hard struggle to get out of the Federal Treasury anything like a reasonable amount of funds for the proper care and protection of these forests. The timber which is lost by reason of forest fires belongs to your State just the same as it does to mine. Not very much of it is in my district, although much of it is in the Rocky Mountains and the Western States. The public is becoming intolerant of these great losses of timber, much of which could be prevented if we had proper fire protection and if we had the necessary roads leading up to and into the forests, so that when a fire is first discovered it could be combated while small.

It is a very sad sight to see a great forest fire licking up and destroying within a few hours timber that has required from three hundred to a thousand years to grow. Such destruction should not be permitted to continue, but it will continue till we have roads and trails by which we may more readily reach the conflagration.

Forest products investigations $505,000

The bulk of forest products research is done at the Forest Products Laboratory, Madison, Wis., where there is a staff of trained foresters, engineers, and chemists equipped with laboratories and other facilities. These specialists are constantly engaged in the laboratory, at industrial plants, and in the forest in experimenting on and studying the best ways to use wood, with the major object, of reducing waste of timber and prolonging our forest supplies, and also of increasing the value of timber and thus encouraging its growth as a crop. The Forest Service is therefore attempting to insure adequate timber supplies for our national needs by (1) growing timber on the national forest and encouraging timber growing on privately-owned lands, and (2) through forest products research, encouraging a less wasteful use of our present timber supply and that to be grown in the future.

A few examples will illustrate the work. The laboratory has developed practical means of making paper from species hitherto unused for that purpose, thus tending to reduce the great pressure on our spruce and aspen supplies. It has made a nation-wide study of lumber grading and developed the basic foundation for standard lumber grades recently adopted by the lumber and wood using industries. It has developed methods of kiln-drying lumber that are greatly reducing waste from poor seasoning of wood. It has developed box and crate making into a science that not only saves wood but a vast loss of commodities in shipment. Besides these and many other similar projects which have immediate importance and application, the laboratory has done a great deal of fundamental research on the chemical and physical nature of wood, this work being of basic importance in developing new uses for wood.

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

Mr. DICKINSON of Iowa. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SUMMERS of Washington. I know of a paper-pulp mill costing a couple of millions of dollars, and that is but one unit of three or four units that are to follow, which is utilizing waste material from a big sawmill, that would otherwise be burned. For 75 years this waste has been burned, but through the work of the forest-products laboratory, supplemented by private funds to the extent of about $100,000, a new method has been devised by which they use a variety of wood which grows in great quantities in the West. In the past they have not been able to use this wood, because of the resin it contains. Here is a waste product salvaged, which I should say is worth

many millions of dollars every year, and thereby the forests are conserved.

Mr. BLACK of New York. Will the gentleman yield?

Mr. SUMMERS of Washington. I yield.

Mr. BLACK of New York. I understand that for years they have been using this by-product as a binder on State roads. They have been using it in New York State for 10 years anyway.

Mr. SUMMERS of Washington. What particular product does the gentleman refer to?

Mr. BLACK of New York. The by-products of a pulp mill, to which, as I understand, the gentleman was referring.

Mr. SUMMERS of Washington. No; I was referring to the by-products of a sawmill that uses Douglas fir, a material that they had not been able to use for paper making previously.

Silvical investigations $354,000

The Department of Agriculture several years ago adopted a program of establishing 11 regional forest experiment stations. The funds under this appropriation are used for the upkeep of these stations. Each station has a staff of trained foresters, who study the forests of their region to ascertain how to control the forest-fire evil, make current logging practices less destructive, cut old timber so a new crop will start naturally, or, if natural reproduction fails, determine what trees are best to plant and how to plant them, how much timber different kinds of forest land can produce; in short, how best to grow timber crops.

Forest-fire cooperation $1,100,000

Of the total of $1,000,000 available for work in 1928, under the first three sections of the Clarke-McNary reforestation act, $950,000 is used for cooperating with the States in the prevention and suppression of fire on forest lands in State and private ownership. Thirty-six of the 39 timber-producing States now receive cooperation of this nature. The Federal fund is allotted to the States on the basis of the estimated cost of protecting State and private forest lands, and on the basis of a budget prepared in accordance with an agreement with each State. Federal expenditure is made in the form of reimbursement to the State for the Government's pro rata share of expenditures incurred on the basis of the budget submitted. The expenditure of funds and the results secured are carefully inspected in every cooperating State. The cooperation is not continued unless reasonable standards are attained.

Timber-taxation studies: Under authority of the Clarke-McNary law the department expends in the neighborhood of $50,000 yearly for a nation-wide study of forest taxation. The general property tax is difficult of application to forests, because trees require many years to reach maturity, and recurrent annual taxes on growing timber without corresponding annual returns from which to pay the taxes are a discouragement to reforestation. The study aims to determine just how heavily forests are now taxed as compared with other forms of property, the effect of present tax methods on reforestation, and possible modification in tax methods to insure fairness both to the timberland owner and to the local communities dependent on tax revenues. The study is in charge of a tax expert, aided by a small staff of economists and foresters, and involves field studies of tax records, tax methods, values of forest properties, sources of local revenue, and constitutional and legal constrictions on forest-tax reform.

Cooperative distribution of forest-planting stock $75,000

This $75,000 is provided for conducting work under section 4 of the Clarke-McNary law and is allotted to 36 States. These allotments are made primarily for the establishment of new nurseries, the enlargement of existing nurseries, and the purchases of seed, all in connection with the distribution of forest-planting stock for use on farms. As in forest-fire cooperation, the States make the original disbursements and claim reimbursement for the Government's pro rata share of the expenditures incurred. Total State budgets for the current fiscal year amount to $325,000.

Under this item the work is being carried on under the bill put through this House by the gentleman from New York [Mr. CLARKE] a few years ago. Reforestation is going on throughout the country and I think the House should know that provision is being made, and will continue to be made, to replenish our forests as provided in that bill, and also to protect them as is provided in another provision of the same bill.

Mr. CLARKE. May I interrupt the gentleman a moment?

Mr. SUMMERS of Washington. Yes.

Mr. CLARKE. I hope a little later to-day or to-morrow to present to the House the story of the great reforestation movement that has gone on and to show how under the leadership of the Clarke-McNary bill, 41 States are cooperating in this wonderful, forward-looking enterprise.

Mr. SUMMERS of Washington. Many of the undertakings of the Department of Agriculture read like romance. It is the most interesting work I have been engaged in during the almost 10 years I have been in Congress. I appreciate my position as a member of the committee that prepares the agricultural appropriation bill. It is a pleasure to serve under the genial leadership of Mr. DICKINSON of Iowa, and with Mr. BUCHANAN, ranking Democratic member, who has been connected with agricultural legislation and appropriations for many, many years, and with Mr. WASON of New Hampshire and Mr. SANDLIN of Louisiana, who with myself, constitute the committee. We work congenially. Our hearings, as I have said, have been very extensive, but they have been interesting and have brought out the real work that is being done in behalf of the people by this department of the Government.

Mr. LOWREY. Will the gentleman yield a moment?

Mr. SUMMERS of Washington. I yield to the gentleman from Mississippi.

Mr. LOWREY. I want to express my appreciation for this wonderfully interesting and informing speech and to say that I hope the gentleman will have many copies of it published and I want to pay for my share of them to send to the farmers in my district. I am sure other Members will be glad to do the same thing. The gentleman has given us some very valuable information.

Mr. SUMMERS of Washington. I may say to the gentleman from Mississippi that while I have made this address very comprehensive, and I have thought perhaps too comprehensive, it is the only way I could give a picture of what is being done. I have not had in mind having any copies printed because it is a rather lengthy speech, but that can be done, of course, if there is a demand.

Acquisition of additional forest lands $1,000,000

This appropriation is used to carry out the policy established by Congress through the enactment of the act of March 1, 1911 (36 Stat. 961), and confirmed and extended by the act of June 7, 1924 (43 Stat. 653). Under the first act 22 purchase areas (now consolidated into 18) have been established, of which 48 per cent of the purchasable area, 2,835,601 acres, has been acquired or approved for acquisition to date at a total cost of $14,007,775.91, exclusive of administrative costs of purchase. The completion of purchases within these areas, with the possible addition of two or three other areas needed to round out the system, will cost approximately $25,000,000. Under the second act, two purchase areas have been established, one in Michigan and one in Minnesota, within which the area purchased or approved for acquisition to date is 57,140 acres valued at $57,484.96. Three other areas in the Lake States are in readiness for presentation to the National Forest Reservation Commission for approval, and the entire program in the Lake States under the act of June 7, 1924, contemplates the acquisition of a total of 2,500,000 acres of land at an estimated cost of $6,250,000.

Payments to States and Territories from the national forests fund $1,285,000

Twenty-five per cent of all money received from each national forest during any fiscal year is paid at the end thereof by the Secretary of the Treasury to the State or Territory in which the national forest is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the national forest is situated. When any national forest is in more than one State or Territory or county, the distributive share to each from the proceeds of the forest is proportionate to its area therein.

Cooperative work, Forest Service $1,500,000

All moneys received as contributions toward cooperative work in forest investigations, or the protection and improvement of the national forests, including deposits received from timber purchasers to cover the cost to the United States of disposing of brush and other débris resulting from cutting operations in sales of national forest timber, are covered into the Treasury and constitute a special fund, which is appropriated and made available until expended as the Secretary of Agriculture may direct, for the payment of the expenses of the investigations, protection, or improvements by the Forest Service, and for refunds to the contributors of amounts paid in by them in excess of their share of the cost of the investigations, protection, or improvements. Annual report is required to be made to Congress of all moneys received as contributions for such cooperative work.

Roads and trails for States, national forests fund $530,000

An additional 10 per cent of all moneys received from national forests during each fiscal year is available at the end thereof, to be expended by the Secretary of Agriculture for

the construction and maintenance of roads and trails within the national forests in the States from which such proceeds are derived.

BUREAU OF CHEMISTRY AND SOILS

Agricultural chemical investigations $246,000

It is proposed to investigate the needs of domestic cane growers, particularly in Louisiana.

A study of the causes of the deterioration of foods will be made. Large economic losses are caused after the harvesting of the raw products, during transportation, and after their transformation into manufactured food products.

Increased funds are needed for the study, development, and application of equipment and processes for taking off and curing hides and skins. The work contemplated on hides and skins is a continuation and expansion of the bureau's part in the broad program of research on the conservation of hides and skins already initiated by the department, and carries the indorsement of numerous organizations of those engaged in farming, cattle raising, dairying, and other agricultural pursuits, and of the hide and leather industries. The bureau's part in the program deals with the elimination of an estimated annual loss of $20,000,000 in raw materials, which arises from improper skinning and curing.

Increased funds are provided for extending fundamental investigations on the chemical properties and utilization of lignin. Lignin constitutes about one-third of the dry material of straw, corncobs, cornstalks, and other similar farm waste. Its chemical utilization is one of the most important problems confronting the agricultural industries at the present time. Among the possible industrial uses for lignin already developed by the bureau may be mentioned its use in the manufacture of tanning materials, dye intermediates, varnishes, lacquers, and organic chemicals.

Under this appropriation basic scientific research in agricultural chemistry is carried on, and the results of such research are applied to the solution of problems involved in the production, preservation, and profitable utilization of farm crops. Studies are made with a view to increasing the protein content of wheat and other grains, thus enhancing both nutritive and market values. The chemical composition of a great variety of feedstuffs is determined with especial reference to the nutritionally essential amino acids, in order to furnish practical feeders with information that will enable them to make the most economical combinations of available feedstuffs. Studies are made of the vegetable oils in order that they may be more profitably utilized. Methods for manufacturing marketable products from cull and surplus fruits and vegetables are developed. Improvements are made in processes for manufacturing paper and for tanning leather. Carbohydrate investigations are conducted. Studies are made of the physiological effects of foods and drugs on the human organism. Investigations are directed toward finding the causes and reducing the losses from deterioration and spontaneous combustion in grains and other farm crops.

Color investigations $72,921

Experiments to develop processes for the manufacture of fast dyes in order to make this country independent of any foreign country are carried on under this appropriation. American manufacturers now produce vat dyes of brilliant color and lasting quality as the result of processes developed in this work for making cheaply and of remarkable purity phthalit anhydride, one of the essential dye intermediates, which formerly could be obtained only in Germany. More than 300 dyes, chemicals, and drugs can be manufactured from this one intermediate. More than 20 other processes have also been worked out. Work is done on dyes used as biological stains in identifying the various microorganisms that produce disease. Without stains of known composition, disease producing bacteria can not certainly be identified.

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

Mr. DICKINSON of Iowa. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. SUMMERS of Washington. For instance, they are finding that out of cornstalks and wheat straw and that sort of thing they are able to make permanent dyes. They are also able to make out of these waste materials the mouthpiece and other parts for telephones and material of that kind. This is a very valuable work that I doubt if any of us appreciate unless we dig into these extensive hearings or unless you should have the patience to follow through the remarks I am making, which, after all, are taken largely from the 1,300 pages of hearings to which I have referred.

Sirup and sugar investigations $35,234

This work has for its object the development of improved methods for the manufacture of cane, sorghum, maple, and other table sirups and their application in the industries. Chemical problems relating to the maximum yield of sugar from cane and from beets are investigated in order to assist manufacturers of domestic sugar to increase their yield and also to bring larger returns to the growers of cane and of sugar beets.

Insecticide and fungicide investigation $44,800

Of this, $10,000 will be used for continuation during 1929 of work on insecticides and fungicides to meet the excess spray residue situation, which is emergent.

Under this item chemical problems relating to the composition, manufacture, action, and application of insecticides and fungicides are investigated. The object of the work is to develop chemical compounds for the more effective control of insects and fungi which are cheaper and better than those in general use in order to reduce the enormous losses that occur from these causes in the growing of crops. This work is carried on in cooperation with the Bureau of Entomology and Plant Industry.

Plant-dust explosions and farm fires $42,743

Ten thousand dollars will be used for the study of farm fire prevention.

The annual fire loss in the United States is approximately $570,000,000, and it has been estimated that $150,000,000 is due to losses on farms and in rural communities. These figures do not take into consideration the losses due to the deterioration and spoilage of farm products, which is closely related to the spontaneous-combustion phenomenon. It has been estimated that about 3,500 lives are lost annually as a result of farm fires.

Investigations are made of the causes of the destructive dust explosions that occur in flour mills, grain elevators, threshers, and other manufacturing plants where plant dusts are generated, and methods are developed for preventing such explosions. The research work of the bureau has been practically confined to the dust-explosion hazards in the grain-handling industry which have caused extensive losses of life and property. Records of approximately 270 dust explosions in plants in the United States and foreign countries have been obtained. In 66 of these explosions 444 lives were lost, and in 83 of them 780 people were injured. The total money loss in 132 explosions was approximately $32,917,000, an average of more than $250,000 for every explosion. The bureau is conducting special research investigations to determine the causes of these explosions and the circumstances favorable to their origin. More than 21,000 establishments in various industries in the United States, manufacturing products with an annual value in excess of $6,779,449,000, are subject to the dust-explosion hazard. The bureau investigations have shown that extensive losses have also been experienced from dust explosions and fires in grain-threshing machines, particularly in the Pacific Northwest, and from cotton-gin fires in the Southwest.

Fertilizer investigations $290,000

The fertilizer industry is on the verge of producing ammonia for fertilizer purposes. It is essential that this be converted into a diversification of nitrogen compounds for agricultural use. Among these are urea, nitrates, and organic ammoniates. The fundamental work on these problems must be intensified. The successful solution of these problems will be of material benefit to the farmer.

The most conspicuous constituent of the modern complete fertilizer being soluble phosphate, it is highly desirable that this ingredient be made obtainable in some more desirable form than the present low-grade acid phosphate. Intensified research must be expanded to obtain this fertilizer essential in more concentrated forms. Potash, for which the farmer is still largely dependent on Europe, should be obtained from the large American sources already surveyed. A chemical investigation of these raw materials is essential. Many other fundamental fertilizer studies are under way.

Soil survey investigations $253,000

This work comprises the surveying, mapping, and classifying of the soils of important areas in different parts of the country. The purpose is to acquire a knowledge of the soils and construct a soil map of the United States for use of those interested in the development of agriculture. The soil survey determines what the soils are, where they are, the predominating types, and how much there is of each kind, furnishing a fundamental basis on which to establish experiments and to interpret results.

Soil microbiology ---------- $40,840

Experiments with pure cultures of legume bacteria are carried on throughout the United States. Commercial cultures for legume inoculation are inspected for the purpose of determining those of inferior quality. Rotation experiments are conducted in the field and in the greenhouses at the Arlington Farm to determine whether the nitrogen balance of the soil can be maintained without using chemical fertilizers.

Soil fertility investigations ---------- $126,850

The work comprises a fundamental study of the biochemical relationships existing between plants, soils, and fertilizers and is carried on through field experiments and laboratory and greenhouse studies. It includes the testing of many fertilizer ratios or formulas in order to ascertain the ratio best suited for profitable crop production in particular regions. Comparative values of the various nitrogen carriers, and phosphate carriers as used in commercial fertilizers are under investigation in order to ascertain the particular carriers best suited for any specific crop or soil.

The Bureau of Soils points out to us that soil erosion takes twenty times as much fertility from the soil every year as the growing of crops, and still this is a matter that up to this time has had only haphazard or very little consideration. Some counties contain very large areas which have been cut into gullies and made wholly useless now, and perhaps for all time to come, whereas such erosions could have been prevented had proper attention been given and proper emphasis laid on this work at an earlier date.

BUREAU OF ENTOMOLOGY

Deciduous-fruit insects ---------- $319,500

The work being carried out with the funds available under this appropriation consists of life history studies on and the development of means of control for insects attacking such deciduous fruits as apple, plum, peach, and so forth, as well as those injurious to grapes, nuts, blueberries, and so forth. It provides for investigations on such well-known pests as the codling moth, apple maggot, plum curculio, peach-tree borer, grape leaf hopper, pecan weevil, and so forth. It also includes investigations conducted to determine means of artificial control other than application of arsenical sprays or dusts. It provides for large-scale experiments in orchards and vineyards to determine the best and most economical means of controlling, with different insecticides, injurious insects. It includes the research of the Japanese and Asiatic beetles. These investigations involve experiments to determine means of preventing spread of these pests; the development of artificial natural means of controlling them. The results of these investigations are published in the form of bulletins, circulars, and leaflets, and are distributed to interested growers and others.

Tropical, subtropical, and ornamental plant insects ---------- $113,000

The investigations carried on under this appropriation include studies on the biology of insects injurious to tropical, subtropical, and ornamental plants and the development of means for their control.

The results of these investigations are of service to the citrus industry, the date industry, the bulb industry, the florists, and to nurseries and companies dealing with landscaping ornamentals.

Truck-crop insects ---------- $228,090

The work done under this appropriation includes life history studies on and the development of means of control of insects attacking truck and garden crops, such as peas, beans, spinach, turnips, potatoes, sweet potatoes, and so forth, and such related crops as sugar beets and tobacco. It provides for investigations of such well-known insects as the Changa, the seed-corn maggot, cucumber beetles, the onion maggot, vegetable weevils, the tomato fruit worm, the potato beetle, the pea aphis, the sweet-potato weevil, the sugar-beet leaf hopper, the Mexican-bean beetle, the bean leaf hopper, and so forth. It also provides for investigations of aphids and other insects injurious to berries, and includes the study of the biology of those forms which transmit Mosaic diseases. It includes investigations on a variety of soil-inhabiting wireworms, cutworms, and white grubs which attack truck and garden crops. The investigations on artificial, cultural, or natural means of controlling the Mexican-bean beetle are also included under this appropriation. The results of these investigations are disseminated to growers and others interested by means of bulletins, circulars, leaflets, and advice is given freely to many applicants through correspondence.

Forest insects ---------- $185,000

The principal activities of the branch of forest insects are the study of insects affecting forest trees, insects affecting forest products, shade tree and hardy shrub insects, cooperative forest insect control and gipsy and brown tail moth research.

Cereal and forage insects ---------- $433,740

The principal projects on which work is now being done are alfalfa weevil, hessian fly, chinch bug, grasshoppers, forage insects, cereal insects, and European corn borer research.

Cotton insects ---------- $280,000

The work done under this appropriation consists of investigations on the biology of and the development of means of control of insects injurious to cotton, and includes studies on such well-known insects as the cotton boll weevil, the Arizona weevil, the pink bollworm, the cotton stainer, cotton flea hopper, etc. It provides for experiments on spraying, dusting, and so forth, leading to the control of these insects and includes the development of various types of dusting machinery including the necessary attachments used in dusting by airplane. It also includes the investigation on the pink bollworm. The information gained from these investigations is given to the public in the form of publications issued by the department and other statements given through the press and to correspondents.

Insects affecting man and animals ---------- $80,180

The work done under this appropriation includes investigations on the biology of and the determination of means for control of insects affecting man, cattle, horses, sheep, goats, poultry, and other animals and birds, including studies on such well-known insects as fleas, flies, mosquitoes, the cattle grub, the horn fly, the wool maggot, the screw-worm, poultry lice, mites, ticks, and so forth. Certain phases of the investigations are done in cooperation with the Bureau of Animal Industry and the United States Public Health Service. The work is primarily that of developing means of control rather than the application of such remedies. The results of these investigations are given to the public through the regular department publications, press releases, and correspondence, and they also serve as a basis for eradicative operations conducted by other agencies.

Stored-product insects ---------- $51,900

The investigations now being conducted under this appropriation are: (1) Insects attacking wheat, corn, all small grains, and cereal products, including breakfast foods, the products of flour mills, bakeries, and so forth; (2) weevils attacking beans and peas; (3) insects attacking dried fruits in California; (4) insects that are destructive to articles in warehouses, such as fabrics, furniture, and so forth; (5) investigations into the possibilities of cold-storage temperatures in preventing losses to agricultural products in storage; (6) investigations of new and useful fumigants that may lessen the present danger that exists in the use of fumigants now recommended; and (7) a general, though necessarily limited, study of household pests, such as bedbugs, cockroaches, clothes moths, and so forth.

Taxonomy and interrelations of insects ---------- $130,000

The work done under this appropriation consists of the study of insects as such, and includes: (1) The identification and classification of insects; (2) the study of their structures; (3) the study of their relation to climatic factors; (4) the recording of their abundance and general movement; (5) the furnishing of advice as to their probable usefulness in new areas in assisting in the suppressing of other forms which are injurious. It is primarily of a service nature. By supplying the names for insects the specialists employed under this appropriation furnish a key to the records on injury, habits, distribution, and means of control, as determined by previous study, to all other units of the bureau, to agricultural colleges, State experiment stations, and other agencies investigating injurious or beneficial insects. There are over 650,000 described species of insects. Many of these are injurious; many are beneficial. Many of those which are beneficial look so much like those which are injurious that only a specialist who has access to large collections and libraries can distinguish between the injurious and beneficial. The determination made by these specialists is the starting point of most entomological investigations, and it is through their work that we realize that undesirable aliens, like the Mexican fruit worm, and so forth, have entered our country. This service is of the greatest value to all field investigators and on its accuracy much depends. The study of the structures of insects is not only a necessary part of the science of their classification but the results obtained are of use to those who deal with devising means of control.

Bee culture ---------- $49,380

The funds under this appropriation are being used for the study of the behavior of bees to ascertain the responses of bees

to artificial and natural stimuli to the end that beekeepers may utilize to the utmost the natural habits of bees in increasing the production of wax and honey.

BUREAU OF BIOLOGICAL SURVEY

Maintenance of mammal and bird reservations $69,000

The bureau supervises 77 Federal big-game and bird reservations and administers and maintains warden forces upon the more important of these reserves. The five big-game refuges are:

The Winter Elk Refuge at Jackson Hole, Wyo.
The Montana National Bison Range.
The Wing Cave Game Preserve.
Sullys Hill Game Preserve, S. Dak.
Niobrara Reservation, Nebr.

Economic investigations $595,500

The bulk of this appropriation is expended in serving the public through the development of practical methods for the control or eradication of injurious rodents and predatory animals, and the demonstration of these methods to farmers, stockmen, orchardists, and others interested in the destruction of these animals. Extensive campaigns on the national forests in the West and on other areas and in local communities are carried on for the wholesale destruction of rodents and predatory animals. This work is conducted by trained men who are stationed in rodent and predatory animal infested States and who cooperate with State and county officials, associations of stockmen and farmers, and individuals. These cooperative agencies, in addition to the individual service rendered, contribute to the work nearly twice the amount of money expended by the Federal Government.

Biological investigations $40,000

This scientific work conducted by the biological investigations division is the fundamental basis for most of the bureau's activities. It includes biological surveys of States; technical laboratory studies on the classification of North American birds and mammals; studies the habits of mammals in relation to crops and forests, conducted chiefly from stations at Tucson, Ariz., and Puyallup, Wash. The division conducts field investigations of big game mammals; studies the distribution and migration of birds, through censuses of waterfowl and other birds in which about 3,000 cooperators take part, and banding of birds by 1,200 cooperators as a means of securing data on seasonal and local movements of birds.

Protection of migratory birds $163,000

This project consists of the enforcement of the migratory bird treaty and Lacey Act by maintaining a warden service throughout the State to the limit of available funds, and by cooperating with State and local authorities in the work; in conducting necessary investigations of migratory birds to obtain information required in connection with the administration of the laws and regulations; supervision of importations of foreign birds and other animals into the United States, including inspection service at ports of entry to prevent the introduction into this country of injurious species; and the assembling of data and publication of the annual game-law bulletin, game-law poster, directory of game-protection officials, and other information.

Reindeer, game, and fur bearers in Alaska $100,000

From headquarters at Fairbanks, Alaska, in cooperation with the Alaska Agricultural College, are conducted investigations, experiments, and demonstrations for improving and increasing the reindeer industry in Alaska, and the results attained are made known to reindeer owners, who are benefited by adopting the improved methods. This department cooperates with the Bureau of Education in connection with the reindeer under the latter's control.

Upper Mississippi River refuge $40,000

This appropriation is being used for the acquisition of land and land and water areas to be set apart as a wild life and fish refuge along the upper Mississippi River, as authorized by the act of June 7, 1924.

BUREAU OF PUBLIC ROADS

Road building and maintenance $70,000

Maintenance of experimental highways and experiments in the use of local materials and road construction and maintenance studies.

Agricultural engineering $244,290

The agricultural engineering activities of the Bureau of Public Roads are carried forward under three major subdivisions: (1) Irrigation, (2) drainage, and (3) farm structures and mechanical problems. The work is largely of a research character and in general is conducted in cooperation with colleges or other State agencies.

BUREAU OF AGRICULTURAL ECONOMICS

Farm management and practice $372,250

This appropriation covers studies of farm management and farm organization problems, costs of production, farm credit, insurance, taxation, farmers' return for capital and labor, farm ownership and tenancy, labor, land settlement and utilization, and farm-life problems. Recommendations are made for crop and livestock adjustments based upon close study of farm organization and costs and of changing agricultural conditions. Farmers are assisted in keeping records and accounts of their operations. Studies are made with respect to the use, value of land, the classification of lands yet to be brought under cultivation, and the methods of development which will result in the proper use of each class of land. Assistance is given to farmers in obtaining credit, and special studies are being made with regard to farm insurance problems. Farm taxation is being studied in an effort to find means of relieving agriculture of a part of its present heavy burden. The greater part of the work under this appropriation is carried on in close cooperation with State agencies and with other departments of the Government.

Marketing and distributing farm products $715,000

Special studies will be made of transportation, market-price trends; marketing livestock, meats, and wool; marketing dairy and poultry products; marketing hay, feed, and seed; cotton handling and marketing; State cooperation in marketing work; and the development and extension of the agricultural outlook work which involves research studies on the fundamental economic principles underlying the production and marketing of farm products.

Under this appropriation are conducted the research projects connected with the marketing of farm products in general. The work includes the preparation of standards for farm products and conferences with the trade in regard to their use. The methods of handling, grading, packing, shipping, and marketing farm products are studied and recommendations made for improvements. Numerous laboratory problems are under way, such as spinning tests of various types and grades of cotton, and milling, baking, and chemical studies to determine the intrinsic value of wheat. Studies are made for the purpose of establishing additional commercial and scientific uses for cotton and its by-products. All available facts with regard to the production of and probable demand for farm products are published periodically. A number of projects are conducted in cooperation with State agencies covering various marketing problems.

Crops and livestock estimates $738,000

Crop and livestock estimates: This work covers 74 crops in addition to the different classes of livestock.

Foreign competition and demand: Approximately $89,000 of the funds made available under this paragraph are specifically set aside, by proviso, for collecting and disseminating to American producers, importers, exporters, and other interested persons, information relative to the world supply of and need for American agricultural products, marketing methods, conditions, price, and other factors.

Market inspection of farm products $388,455

This service enables any interested party to secure at any point where the service is maintained, an inspection by a representative of the Department of Agriculture and a certificate, which is prima facie evidence in all courts of the United States as to the statements therein contained. These certificates cover the class, quality, and/or condition of agricultural products offered for shipment, or received in interstate commerce. The service has been inaugurated on fruits, vegetables, butter, cheese, eggs, meats, hay, beans, soy beans, and broom corn.

The service is, in a large measure, self-supporting, as fees are collected and turned into the Treasury as miscellaneous receipts. One hundred and ninety-three thousand cars of fruits and vegetables were inspected at shipping point in 1927. Of these 201 reinspections were made at receiving point and 115 cars were rejected. Practically perfect results, only 115 rejections out of 193,000 cars. Shippers tell me that shipping-point inspection is saving more than $5,000,000 annually to shippers and producers and at the same time it offers the only guaranty to the wholesale and retail purchaser. As the author of the shipping point inspection law, I am naturally highly gratified with these results.

Market news service $1,076,355

This item covers the collection and dissemination of market information by telegraph, telephone, radio, and other means. Information regarding the market supply, commercial movement, location, quality, condition, market price, and so forth, on all the principal agricultural products is collected and compiled by representatives of this bureau and given the widest

possible publicity. This furnishes a guide to producers and shippers as to markets where the best demand exists for their products. The leased-wire service extends to Boston, in the north; to Jacksonville, Fla., in the southeast; to Chicago, Minneapolis, St. Paul, Kansas City, and Omaha, west to San Francisco; and south to Fort Worth and San Antonio, Tex., touching various points between these cities. Temporary field stations are operated in producing districts during the movement of important crops, and information is furnished to various points in the field by commercial wires and radio.

Cooperative marketing $260,000

The act of July 2, 1926, creating a division of cooperative marketing requires the department to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for the calling of advisors to counsel with the Secretary on cooperative activities; and to authorize cooperative associations to acquire, interpret, and disseminate crop and market information.

Estimates of grade and staple lengths of cotton $400,000

This is a new item for the purpose of carrying into the effect the provisions of an act entitled "An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton," approved March 3, 1927.

The act cited directs the Secretary of Agriculture to collect and publish annually, statistics or estimates covering the grades and staple length of stocks of cotton, known as the "carry-over" on hand on the 1st day of August of each year in warehouses and other establishments. Following such publication he is directed to publish at intervals estimates of the grade and staple length of cotton of the then current crop, it being provided that not less than three such estimates shall be published with respect to each crop. It is further provided that in any such statistics or estimates published, the cotton which is tenderable under the United States cotton futures act shall be stated separately from that which may be untenderable. Work of a preliminary nature is being carried on during the fiscal year 1928 with funds provided for this purpose under the appropriation "Crop and livestock estimates."

Enforcement of cotton futures act and cotton standards act $207,000

Under both of these acts the department is authorized to promulgate standards for cotton. The cotton futures act provides for the regulation of the cotton-future exchanges and for the classification of cotton delivered on future contracts. Under this act supervision is maintained over designated spot markets, and a cotton price quotation service is maintained. In addition to furnishing authentic information of prices these quotations serve as a basis for the settlement for cotton, other than middling, delivered on future contracts.

The cotton standards act makes mandatory the use of the official cotton standards in interstate and foreign commerce, provides for the classification of spot cotton by representatives of the department, and for the licensing of cotton classers. Universal cotton standards have been promulgated under this act and these have been adopted by the principal foreign cotton exchanges.

Enforcement of the grain standards act $758,650

This act requires the Department of Agriculture to promulgate standards for grain, the use of which is mandatory in interstate commerce, and to supervise the inspection of such grain by licensed inspectors. This law involves very heavy service and regulatory work, and constant vigilance must be exercised by representatives of the department in order to prevent violations of the law, such as fraudulent loadings of cars, and so forth, are detected and penalties imposed.

Under this act the department inspects warehouses for the storage of certain farm products, and issues licenses to warehousemen who comply with the provisions of the law. A continuous check is kept upon the operation of the licensed warehouses. The main purposes of the warehouse act are to safeguard the storage of farm products and to furnish a warehouse receipt which will be acceptable as collateral for loans, and thus furnish the farmer with a means of securing credit as an aid to the orderly marketing of his crop. Bankers have strongly indorsed the work of the department under this act, and the licensed warehouse receipt is being universally accepted as collateral. The original act covered only cotton, grain, wool, and tobacco. Under a subsequent amendment, warehouses may now be licensed for the storage of other agricultural products, and regulations under the act have been extended to cover peanuts, potatoes, broomcorn, dry beans, dried fruits, and sirups, both cane and maple, canned foods, and cottonseed.

Enforcement of the standard container and produce agency acts $30,000

The standard container act is a regulatory act whose administration is carried on largely through educational work with package-manufacturing concerns. The law provides for standard specifications for climax baskets and baskets and containers for small fruits, berries, and so forth. Manufacturers are manifesting an increasing desire to cooperate with the department in securing the enforcement of the law and voluntarily submit samples of the containers which they intend to manufacture. A very large number of sample containers are tested and the manufacturers notified of changes which are necessary to bring such containers within the provisions of the act.

The produce agency act covers three important propositions: It makes it a misdemeanor (1) for anyone receiving perishable farm products in interstate commerce for or on behalf of another to dump, abandon, or destroy the products so received without good and sufficient cause therefor; (2) for anyone receiving such products for or on behalf of another in interstate commerce to fail, knowingly and with intent to defraud, to account truly and correctly therefor; and (3) for anyone receiving such products in interstate commerce, for or on behalf of another, to make any false statement, knowingly and with intent to defraud, concerning the handling, condition, quality, quantity, sale, or disposition thereof.

BUREAU OF HOME ECONOMICS

Home-economics investigations $120,000

The bureau maintains no field stations, the investigational work in home economics being performed in Washington, and the results disseminated in the form of bulletins and other publications. The principal projects under way include studies of food composition, nutritive value, methods of preparation, and use, in order to furnish information in a practical form for the more effective utilization of these products. Special emphasis now is being given to dietary studies, problems of feeding young children, vitamin and mineral content of food, home canning methods, and the extension of the use of soft wheat flour. Economic studies also are carried on in order to furnish information to guide the housewife in wise buying. An effort is being made to determine what is an adequate standard of living for the farm family, these studies involving detailed analyses of expenditures for food and clothing and a special investigation of household accounts and their use in planning a household budget. Since so large a proportion of the family resources in time and money goes to clothing, special studies are being made to furnish information as to wise choice, care, and construction of clothing.

PLANT QUARANTINE AND CONTROL ADMINISTRATION

Enforcement of foreign plant quarantines $500,000

These funds provide for the payment of salaries and miscellaneous expenses in connection with the enforcement of foreign plant quarantines, the purpose of which is to regulate the importation of nursery stock and other plants and plant products; to prevent movement of cotton and cottonseed from Mexico into the United States; and to prevent the entrance of such insects as the pink bollworm, the Mexican fruit worm, and so forth, into this country.

Preventing spread of pink bollworm of cotton $687,800

The work under this item is for the control and eradication of the pink bollworm in Texas, New Mexico, Arizona, and elsewhere. It provides for the prevention of the movement of cotton from restricted areas except under Federal inspection and certification and the enforcement of all quarantine regulations against this pest. It also provides for the supervision of the treatment and crushing of infested seed; and for necessary scouting to determine spread or new outbreaks in the United States and in Mexico near the border.

Preventing spread of moths $556,380

These funds are being used to prevent further spread of the gipsy moth and the brown-tail moth in this country. The extermination of the gipsy moth is sought in its present restricted area in the State of New Jersey as well as the extermination of isolated colonies in the barrier zone, a strip of territory averaging 25 to 30 miles in width along the western border of the New England States, and the area in New York east of the Hudson River. This strip extends from Long Island Sound to the Canadian border. New Jersey is making annual appropriations for work in that State and cooperates with the department. Field work in the territory east of the barrier zone is carried on by the States concerned, the Federal-control work being confined to the New Jersey area and the barrier-zone territory. New York is carrying on the work in certain

areas west of the zone under the same plan as that conducted by the department in the barrier zone.

Inspection and certification of shipments of plant material which might carry the gipsy or brown-tail moths into new areas and the enforcement of quarantines relating to these two pests are also provided for under this item.

Preventing spread of European corn borer $887,660

The work done under this appropriation provides for the prevention of spread of the European corn borer, the enforcement of the quarantines, and for the clean-up of heavily infested areas in order to prevent the further long-distance spread of this insect. During 1927 nearly $9,000,000 was expended in a "corn borer clean-up campaign."

Preventing spread of Mexican fruit worm $100,000

This is a new item to cover regulatory activities on the Mexican fruit worm. The presence of this pest in the lower Rio Grande Valley of Texas is a menace to the entire southern fruit industry from Florida and Georgia to California.

The work done under this appropriation provides for the eradication of the Mexican fruit worm by the maintenance of a host-free period during the summer months, and for the prevention of its spread by the enforcement of quarantines. It also provides for any other regulatory measures necessary to eradicate this pest in the United States.

Certification of exports $30,000

This project provides for the certification, as to freedom from injurious insects and plant diseases, of fruits, vegetables, and plants intended for export in order that they may meet the sanitary requirements of foreign countries.

Grain futures administration $135,000

This appropriation provides for the administration of the provisions of the grain futures act of September 21, 1922, which brings under the supervision of the Federal Government certain phases of the business conducted on all grain future exchanges in the United States. This law requires that adequate records be kept by members of these exchanges of all transactions in grain for both cash and future delivery, and that such records shall be subject to inspection by the Federal Government; that reports respecting such transactions shall be made to the Secretary of Agriculture upon request; and that the dissemination of false and misleading information about crop and market conditions be prevented; that manipulation or attempts to manipulate or corner the grain futures market be suppressed. It also prohibits discrimination by grain future exchanges against cooperative associations of producers who desire membership and who agree to meet the conditions lawfully required of other members, except in respect to patronage dividends, and provides for investigation and dissemination of information concerning grain marketing.

In carrying out the provisions of the act, daily reports are required from the clearing members of the contract markets, showing volume of trades and open contracts in the various grains and futures. These reports are checked for inaccuracies and compiled, and the figures concerning the volume of trades are made public daily. The reports are then carefully studied with a view to determining the factors which influence grain prices. In order to keep a further check on the possibilities of manipulation, reports of individual accounts are required from members and individuals themselves, when their trading exceeds certain specified amounts, which for the Chicago Board of Trade is one-half million bushels. Whenever it appears that the transactions of any individual or group of individuals is of such character as to have undue influence on prices, the matter is then referred to the business conduct committee on the exchanges for appropriate action. In addition to the studying of these reports, general observations are made of the activities of the entire grain-marketing machinery and a constant check is made of the market news and gossip relating to crop and market conditions with a view to determining authenticity, locating sources, and correcting false and misleading information.

Enforcement of the food and drugs act $938,000

This appropriation provides for the enforcement of the Federal food and drugs act, commonly called the pure food law. The purpose of this act is to prevent the shipment into interstate or foreign commerce and the manufacture and sale in the District of Columbia and other territory in which the Federal Government has jurisdiction of adulterated or misbranded foods and drugs. To enforce this act it is necessary to maintain supervision of the enormous volume of foods and drugs shipped within its jurisdiction. This requires the inspection of food factories, the examination of shipments, the analysis of samples, and the presentation of evidence in court.

Enforcement of the tea importation act $41,055

Under the tea act every consignment of tea imported into the United States is inspected both as to purity and quality. A board of tea experts determines a suitable standard for tea each year, and no tea for beverage purposes is permitted entry into the United States that falls below that standard. Before the enactment of the tea importation act much low-grade tea that was unfit for use was sent to the United States.

Enforcement of the insecticide act $215,000

Out of 2,000 shipments of various insecticides and fungicides sampled and examined under the act during the last two years more than 600 were found to be worthless for killing insects and others were found to contain chemicals that seriously injured the trees or crops upon which they were applied.

The insecticide act places upon the department the responsibility of regulating interstate shipments and importations of insecticides and fungicides into the United States at the various ports of entry. The provisions of the law are designed to protect farmers, fruit growers, market gardeners, and stock and poultry raisers from fraudulent, misbranded, and adulterated insecticides and fungicides. Products used to rid the household of insects and disinfectants, germicides, and so forth, which are used to combat or kill bacteria also come within the scope of the work. The enforcement of the law has had a marked effect upon the industry engaged in the manufacture and sale of insecticides and fungicides, and each year sees progress in the direction of more truthful statements and a higher quality in most of the products on the market. However, the manufacturing and use of insecticides and fungicides has tremendously increased since the inception of this regulatory work, and the Insecticide and Fungicide Board is constantly confronted with new problems and new products requiring inspection. Especially important at present are disinfectants, boll-weevil remedies, lice preparations, calcium arsenate, lime-sulphur preparations, and fungicides used on the Pacific coast. Provision is made for experiments and demonstrations in livestock production in southern United States, $54,000, and experiments in dairying and livestock production in western United States, $60,000.

Forest roads and trails $6,500,000

The funds made available by this item are used for the following purposes:

(1) Forest highways: For the survey, construction, and maintenance of roads which are necessary to the administration, protection, and development of the national forests but which are of greater value to the States, counties, or communities within or near the forests than to the Federal property itself. The difference between this appropriation and the Federal aid provided for by other sections of the Federal highway act is that the forest highway fund is based upon the ownership of land by the Federal Government and is made in order that this may be developed and protected.

(2) Forest road development: For the survey, construction, and maintenance of roads and trails which are necessary to the administration, protection, or development of the national forests and which are of greater value for this purpose than they are to the States, counties, and communities within or near the forests. Of the total expenditure to date, 35 per cent has been used for the construction and maintenance of trails primarily for use in protecting the national forests from fire. During the past few years Congress has authorized, for forest roads and trails, several millions more than have been expended. The language of the bill now before us permits the utilization of that accumulated fund.

Federal aid highway system $71,000,000

This item provides funds for cooperation with the several States in the construction of the Federal aid highway system under the terms of the Federal highway act. This system comprises approximately 185,000 miles of the main highways of the country selected by the States and approved by the Secretary of Agriculture. Federal aid road work was started under the Federal aid road act in 1916. Up to October 31, 1927, provision had been made for the improvement with Federal aid of 78,841.3 miles of highway. Since 1925 authorizations for the work have been at the rate of $75,000,000 per year. Under these authorizations the work has been carried forward by the Secretary of Agriculture acting through the Bureau of Public Roads, and funds are appropriated as required to make payments to the States. Accumulated Federal highway funds are also available under this bill.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. COLE].

Mr. COLE of Iowa. Mr. Chairman and gentlemen, my purpose in asking time to address the House for a few minutes is to get into the RECORD some facts about the administration of the so-called flexible clause in the tariff act.

In his remarks yesterday the gentleman from Arkansas [Mr. OLDFIELD], whom we all recognize as one of the leaders on the

Democratic side of the House, made a reference to the increase in the duty on pig iron. He tried to contrast that action on the part of the President with the attitude of the same President toward agriculture.

I recall also that a Senator from the same State [Mr. CARAWAY] at the St. Paul conference on agriculture held last spring made a similar reference to this matter. Mr. CARAWAY in a dramatic manner said that the President, after he had vetoed the McNary-Haugen bill, "with the same pen" signed the proclamation increasing the duty on pig iron by 50 per cent. Fifty per cent for industry and not a cent for agriculture!

Eloquent phraseology! But when the facts are connected up with these phrases the eloquence is dissipated.

In response to many inquiries, I looked up the facts last spring, and I sought yesterday to inject some of them into the speech of the gentleman from Arkansas [Mr. OLDFIELD].

Was the President in increasing the duty on pig iron guilty of showing undue favoritism for so-called industry?

When the present tariff act was passed what is known as section 315 was included. Under this section inequalities in rates that arise may be corrected without awaiting the action of Congress. It was hoped that quick and responsive action would be taken under this section, but such hopes have long since been dissipated.

Applications for increases or decreases in rates under this so-called flexible clause are referred to the United States Tariff Commission. A somewhat tedious procedure must be followed by the commission, including inquiries as to the cost of the articles affected both at home and abroad. When a recommendation is made by the commission, and then only, the President may act or he may refuse to act.

In the six years, I think, over 600 applications for changes in rates have been filed, and, I think, in less than 30 have the investigations been completed by the Tariff Commission.

I have the exact facts as of last July. At that time the applications so made had reached 573. In 23 cases reports had been made to the President and in 15 of these increases had been proclaimed by the President.

Six of these increases affected chemical products. Since the World War we have made efforts to develop our chemical industries, for the war taught us the need of such developments. These increases were as beneficial to agriculture as to industry.

Four of the increases affected agricultural products, namely, wheat, wheat products, butter, and cheese.

The five other increases related more or less to so-called industries, such as taximeters, men's sewed straw hats, print rollers, gold leaf, and pig iron. None of these industrial increases is important unless it be pig iron.

What are the facts about the increase on pig iron? How big a boon was that to industry? In the Fordney-McCumber law the duty on pig iron was placed at 75 cents a ton, certainly not an excessive duty on the face of it. It was at least not a prohibitive duty, for since its enactment whole cargoes of such iron have been shipped into the United States, some of them from so far away as British India, where men still labor for 30 cents a day, more or less, and generally less.

After an investigation stretching over years the Tariff Commission recommended to the President that the duty be increased the full amount permissible under section 315; that is, 50 per cent.

In an oratorical speech delivered by an orator like my friend from Arkansas and in the presence of an audience not acquainted with the facts, "50 per cent" sounds like an astounding increase for a "wicked industry."

But when that 50 per cent is reduced to facts and cents, we find that it amounts to only 37½ cents on a whole ton, or 2,000 pounds, of pig iron. This increase made the duty on pig iron $1.12½ a ton. That still is neither large nor prohibitive, for pig iron is still being imported, displacing similar materials from American mines mined by American labor and puddled, or whatever the process is, by American labor receiving American wages instead of 30 cents a day in India.

Mr. OLDFIELD. Will the gentleman yield?

Mr. COLE of Iowa. I will.

Mr. OLDFIELD. Has the gentleman the figures as to how much pig iron was imported and how much exported?

Mr. COLE of Iowa. No; I have not.

Mr. OLDFIELD. Will the gentleman put them in his speech?

Mr. COLE of Iowa. I will try and get the figures.

If all orators would deal in facts instead of seeking effects, they would mention also that the President "with the same pen" that he signed the increase of 37½ cents a ton on pig iron signed the increase on butter from 8 cents a pound to 12 cents a pound, another 50 per cent increase. They omit this fact because they do not want the people of the country to know that the President has taken thought of agriculture as well as of industry.

In the Underwood tariff, enacted by the party of which my colleague from Arkansas is an exponent on the tariff, the duty on butter was placed at 2½ cents a pound. That was the consideration that the gentleman's party gave to this great dairy product in which farmers from one end of the country to the other are interested. That rate was certainly no "sop" to the farmer.

Under that low duty butter was imported at such a rapid rate, displacing American butter in our home markets and depressing prices, that in the emergency tariff enacted in 1921, when the Republicans came into power, the duty was increased to 6 cents a pound. But imports still continued and so the duty was increased to 8 cents a pound in the act of 1922.

Even under a duty of 8 cents a pound we continued to import butter, sometimes at the rate of 30,000,000 pounds a year, not only from Denmark and Holland but from Australia and New Zealand.

The dairy interests then applied for relief under the flexible clause. After careful investigations as to costs of producing butter at home and abroad, the Tariff Commission recommended the increase and the President proclaimed it, signing with the same kind of a pen, if not the same pen, that he later used in declaring the increase on pig iron.

With that magic pen the President increased the duty on butter 4 cents a pound, or $80 a ton, while the increase on pig iron—that oratorical sop to industry—was only 37½ cents a ton.

Mr. EVANS of California. What is the tariff on butter now?

Mr. COLE of Iowa. The increase made by the President, let me repeat, was 4 cents a pound, making the present rate 12 cents a pound. The increase amounts to $80 a ton on butter, as compared with an increase of 37½ cents a ton on pig iron.

Mr. W. T. FITZGERALD. Will the gentleman insert in his remarks what the tariff is on poultry, with especial reference to incubator chickens being brought in from Canada?

Mr. COLE of Iowa. I will try to get them, but I am not sure that I can on such short notice.

It may not be irrelevant, incompetent, or immaterial to say that the farmers are willing to pay 37½ cents a ton more for their pig iron so long as they can get $80 a ton more for their butter. The difference between 37½ cents and $80 is quite material to them.

By marketing nine and a fraction pounds of butter at the increase of 4 cents a pound they can pay the increased duty of 37½ cents on a whole ton of pig iron. And a ton of pig iron when reduced to nails, barbed wire, and even farm machinery goes quite a ways even on a modern farm.

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

Mr. COLE of Iowa. Yes.

Mr. BANKHEAD. Do I understand from the gentleman's remarks—and it seems to be so indicated—that he is entirely satisfied with the present industrial schedules of the Fordney-McCumber Tariff Act as affecting the interests of the farmer and his State?

Mr. COLE of Iowa. I would not want to make the sweeping statement that I am entirely satisfied. I do not know that I am entirely satisfied with anything, not even with the plan of salvation. [Laughter.] But I think that on the whole I am satisfied. I am willing to accept the existing industrial schedules until and unless evidence is submitted that is conclusive to me that they ought to be changed. [Applause.]

Mr. BANKHEAD. My question was aroused by the fact that some of the representatives from the gentleman's section of the country have been charging that the industrial schedules were too high and oppressive as against the farmer, and that unless they could get certain characters of farm relief, in justice to the farmers of their country, they would be compelled to attack the exorbitant industrial schedules of the Fordney-McCumber Tariff Act.

Mr. COLE of Iowa. I think that some of the industrial schedules in comparison with the present agricultural schedules are too high; but, for one, I am not in favor of leveling them down. I am not in favor of punishing industry, throwing men out of work for the sake of getting some benefit for agriculture. That is not the way that I would go at it. I would not destroy the purchasing power of my customer and hope to get anything out of the transaction for myself. Rather I would level the agricultural schedules up, and that is what we are going to ask for, and I think it will be given us if the Republican Party is in power.

I do not think any man from my State is in favor of punishing industry, but we are all in favor of getting a little more for agriculture, and I think we are entitled to it.

Conditions have been changed entirely since the Fordney-McCumber Tariff Act was enacted, especially with reference to agriculture. In making that tariff act I think they granted us all that we asked for at that time. But the conditions were different then and they are different now. The changes that have been brought about in agriculture since 1922, I think, entitle us to certain increases in tariff rates on agricultural products.

Mr. BANKHEAD. So that the gentleman seems to think that a raise in the agricultural schedules in the tariff will very largely meet the present difficulties of the agricultural sections without other relief?

Mr. COLE of Iowa. I would not want to make that sort of a sweeping statement, either. I do not like to make sweeping statements of any kind at any time. I do not like to make any statements unless I know the facts on which they are based.

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

Mr. COLE of Iowa. Yes.

Mr. LOZIER. The gentleman does not take issue with the statement of Secretary Wallace and President Coolidge that the domestic price of farm commodities sold in America is controlled by the price in the world market? The gentleman is in harmony with the attitude and claim of Secretary Wallace and President Coolidge on that question, is he not?

Mr. COLE of Iowa. That question is a big order and I can not undertake to answer it here. I would be very glad to discuss that if I had an hour's time, but now I want to hasten on and finish my speech.

Mr. OLDFIELD. The gentleman does not expect the present Congress, which is Republican in both Houses, to increase these duties on agricultural products, does he?

Mr. COLE of Iowa. I am afraid that the present Congress can not reach that question, at least not at this session. The revision of the tariff is, as you know, a year's job, and we have not time to do it now.

Now, I will not dwell longer on that, but before closing I do want to make reference to sugar. The gentleman from Arkansas [Mr. OLDFIELD] made a reference to the tariff on sugar. I do not know what his exact attitude is, but I assume he is in favor and has been in favor of lowering the tariff on sugar.

Mr. OLDFIELD. The present tariff carries a cent a pound. The Tariff Commission reported to the President that $1.23 was sufficient to equalize the difference in the cost of production here and abroad. The President ignored the report of the commission and let it stay as it is. In other words, he called on the Tariff Commission for a report, and when they reported he paid no attention to the report.

Mr. COLE of Iowa. I will say to the gentleman from Arkansas that I am glad the President used his discretion.

Mr. OLDFIELD. Do you want the rate to be made higher on sugar?

Mr. COLE of Iowa. I would not hesitate a minute to put up the tariff on sugar.

Mr. OLDFIELD. You want to put an embargo on sugar, do you?

Mr. COLE of Iowa. Oh, no. Plenty of arguments, however, could be made in favor of increasing the tariff half a cent a pound. In fact I would not hesitate to increase it a cent a pound. I know something about sugar, because I have studied it for six years in connection with my efforts to get a little recognition for corn sugar. I am in favor of the American people supplying their own wants in a much greater degree than they do at the present time. I would put the duty up rather than put it down, and the President of the United States is to be honored on the part of the farmers as much for keeping the duty on sugar up as he is to be honored for raising the duty on butter. [Applause.] By lowering the duty it would be possible to destroy the beet-sugar industry of the country, and to crush the cane-sugar industry of Louisiana.

Those who are acquainted with the beet-sugar industry know that it exists under the present tariff rates on a very slender margin of profit, if profit at all. We are now producing sugar at the rate of 1,000,000 tons a year from beets. The beet fields are scattered over the country. They glorify diversified agriculture. Beet money is like butter money, an ever present help to the farmers. Labor in the factories also is benefited.

We are still importing nearly two-thirds of the sugar we consume. Would the gentleman from Arkansas import it all? Is a cane field in Cuba more to him than a beet field in Arkansas?

Mr. OLDFIELD. If you make the sugar tariff as high as 10 cents a pound, no doubt we could produce all the sugar we consume in this country. Would you favor that?

Mr. COLE of Iowa. I would avoid making such a sweeping statement as a duty of 10 cents a pound.

Mr. OLDFIELD. Would the gentleman raise it to the point where this country can produce all the sugar we use?

Mr. COLE of Iowa. No. I would not be in favor of that. I do not think we could achieve all of that within reason. At present, however, we are importing over 60 per cent of our sugar, and are growing only one-third of the sugar we consume. I would like to see the time come when we would produce 66⅔ per cent and import only the other third, 33⅓ per cent.

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

Mr. DICKINSON of Iowa. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman is recognized for five minutes more.

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

Mr. COLE of Iowa. Yes.

Mr. LOWREY. The gentleman speaks of not being very well satisfied with the present plan of salvation. I was wondering if he had as little chance of getting by on that as the farmer has of getting by on the present protective tariff?

Mr. COLE of Iowa. I think I should be satisfied if I had the farmer's chance. [Laughter.]

Mr. BLACK of New York. You mean the snowball farmer's?

Mr. COLE of Iowa. No. I never talk about any farmers except actual farmers. I do not even talk about landowners.

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

Mr. COLE of Iowa. Yes.

Mr. MADDEN. Speaking of the duty on sugar, would the gentleman favor a tax on corn sugar of 10 cents a pound?

Mr. COLE of Iowa. No. But I have this assurance, that by the middle of June or earlier——

Mr. MADDEN. This year?

Mr. COLE of Iowa. Yes; we shall be producing sugar from corn at the rate of 1,000,000 pounds a day. We have had a hard fight and it has not yet been entirely won. Corn sugar is an American sugar that is coming to the front, and all the forces of evil can not keep it down! [Applause.]

Mr. W. T. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. COLE of Iowa. Yes.

Mr. W. T. FITZGERALD. Is the yield in corn sugar 25 per cent?

Mr. COLE of Iowa. It is about 23 pounds from a bushel.

Mr. MADDEN. And how is artichoke sugar coming on?

Mr. COLE of Iowa. So far as the artichoke sugar is concerned, that is being developed by the Bureau of Standards, with the encouragement of the great committee headed by the gentleman from Illinois [Mr. MADDEN]. His committee are entitled to the credit for that development, because it has seen fit to give the Bureau of Standards another $25,000 to carry on those experiments.

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

Mr. COLE of Iowa. Yes.

Mr. COLTON. Has the gentleman incorporated in his bill a provision against the mixing of this corn sugar with honey?

Mr. COLE of Iowa. Yes. There is a provision to that effect. We have no desire to interfere in any way with honey.

I will conclude by saying that there is now pending before the Tariff Commission another increase on a major agricultural product, corn. The duty on that staple is now 15 cents a bushel. We are asking that it be increased 50 per cent, or to 22½ cents a bushel. The Tariff Commission, as usual and as always, is full of delays, but I doubt not that when they get ready to make their recommendation the President, still using that same pen, will declare it.

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

Mr. COLE of Iowa. Yes.

Mr. BANKHEAD. I was in hopes that the gentleman would make some reference to the reduction of the tariff on farm implements and machinery. Our people in Alabama are hoping for something of that kind, because thus far they have only received a reduction on Mexican bobwhite and paintbrush handles.

Mr. COLE of Iowa. I am glad your farmers are satisfied with the relief that has been granted on bobwhites.

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

Mr. DICKINSON of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CLARKE]. [Applause.]

PROGRESS UNDER THE CLARKE-M'NARY ACT (JUNE 7, 1924)

Mr. CLARKE. Mr. Chairman, I am especially pleased to have in my audience Brother Westcott, who fought in the Civil War with my father.

On June 7, 1924, the President signed the Clarke-McNary bill establishing a national forest policy for the United States.

Since that time I have been actively at work seeking to bring to the States the vision of the possibilities through cooperation in reforestation that could be theirs under this bill; the response, even in this brief period, has been so wonderful that I set forth in the RECORD in great detail a report of progress dedicated to service to all the children of all the to-morrows.

In the fiscal year 1925 the Federal appropriation available for cooperation with the States in the protection of State and privately owned timberland against fire was $400,000. This appropriation has increased under the Clarke-McNary law to $1,000,000 for the fiscal year 1928.

The number of cooperating States has increased from 29 in 1925 to 36 in 1928.

The area of forest land classified as needing protection has increased from 272,629,000 acres to 359,209,000 acres, and the area of forest land that is actually being protected has increased from 163,000,000 to more than 196,000,000 acres.

At the present time all but one of the important timber-producing States have at least made a beginning in the protection of their forest lands against fire. This showing speaks for itself. Without doubt the extension of forest fire protection over a larger area of forest land and the giving of better protection to many areas were given distinct impetus by the provisions of the Clarke-McNary law.

Under the provision of this law the Forest Service which administers it has sought to have funds expended in forest-fire prevention activities and the prompt suppression of small fires as contrasted to fighting large fires. In other words, more and more emphasis has been put upon the prevention of large fires. Just as much money may be spent that way, but if the efforts are successful there will be to show for it unburned timberland.

Clarke-McNary funds have been used in part during the last two years to help finance an experiment on Cape Cod. This was an experiment in forest-fire prevention. Special patrolmen were put to work on a limited area on Cape Cod. A series of talks was given each year by some one connected with the State forest service before schools, chambers of commerce, and so forth, in that region, and literature was distributed among all people visiting the region during the summer. The Cape Cod population increases several fold during the summer season, and the cape, in fact, is very much dependent upon the influx of summer visitors and summer residents for its income. The continuance of this source of revenue to the local people is dependent to a large degree upon keeping this region beautiful. That, in part, was the reason for carrying on the experiment in this particular location. Further, the vegetation is such that forest fires burn very rapidly and are set quite easily. The results of the experiment have been very interesting. Briefly, in two years the expenditures for forest-fire activities have been less by 11 per cent than under the old system, and the acreage of land burned over has been reduced by 72 per cent. If the experiment continues successful, it may point the way to a line of activity that should be followed more extensively in other States than is the case at present. So far at least the experiment has proved very much worth while.

Expenditures by the States in forest-fire prevention and suppression have amounted to nearly $2,000,000 in each of the last three years, while private expenditures have varied from $500,000 to $1,900,000. The total of State and private expenditures has been nearly treble that of the Federal Government during the same period.

Previous to the enactment of the Clarke-McNary law 18 States were maintaining forest nurseries and distributing forest trees to people within their borders who wished them for reforestation purposes. In the fiscal year 1926, the first year in which appropriations were available under the law, the number of States jumped to 29; Porto Rico also took up this activity. In the fiscal year 1927, 32 States, also Porto Rico and Hawaii, engaged in the distribution of forest trees to farmers in cooperation with the Forest Service under the Clarke-McNary law. In the present fiscal year 1928, 34 States in addition to Porto Rico and Hawaii are cooperating in this project. There is no question that the Clarke-McNary law has been a very distinct stimulus to this activity.

In the year just previous to the enactment of the law farmers were planting from 12,000,000 to 15,000,000 trees a year, a number sufficient to cover 12,000 to 15,000 acres of land. In the year 1927 there were distributed to farmers in the cooperating States 24,500,000 trees, or enough to plant, in round figures, 24,500 acres of land. During the year 1928 it seems perfectly safe to assume that forest trees to the number of 40,000,000 to 50,000,000 will be planted by farmers and organizations in these cooperating States. The effect of the law has been not only to increase the amount of planting by farmers but it has given a nation-wide aspect to this form of activity.

Cooperative expenditures by the Federal Government for the growing and distribution of trees to farmers increased from $45,000 in 1926 to $71,000 in 1927. Expenditures by the States increased in the same period from $223,000 to $242,000.

The law provides for the collection and distribution of forest-tree seed. At the request of State foresters the Forest Service undertook in the fall of 1927 to collect a large quantity of red-pine seed. This kind of seed is rather difficult to procure, and in the past few years State foresters have been obliged to pay from $10 to $22 a pound for it. The Forest Service is fortunately situated in respect to collecting red-pine seed, because on and near the Minnesota National Forest this pine occurs abundantly and probably reaches better development than in any other part of the United States. As a result of efforts put forth by the Forest Service in that region, about 1,500 to 1,800 pounds of seed will be secured and made available to State foresters at a cost of about $5 a pound. Orders have already been placed by State foresters for 1,300 pounds.

Section 5 of the Clarke-McNary law provides for cooperation with the States in assisting owners of farms to improve their farm woods. The effect of the passage of the law was reflected in an immediate large increase in the funds allotted and expended by the States, an increase of about 60 per cent or about $12,000 over the 1924 expenditures. This increase kept up at about the same rate in 1926 and 1927, with the result that during the fiscal year 1927, 30 States expended nearly $85,000, or an increase of about 350 per cent over 1924.

The availability of Federal funds for the first time in the year 1926 was largely responsible for 26 States engaging in cooperative farm forestry, whereas only 6 were carrying on such a project in 1924, before the passage of the act. Thirty-one States are cooperating during the present fiscal year of 1928.

During the fiscal year 1926 a total of 9,972 farms in 558 counties reported better practice in growing timber as a farm crop. Of these, 3,358 consisted of better management of existing woodlands, 3,651 making forest plantations mostly in worn-out or idle land, and 1,675 planting windbreaks for the protection of crops or farmsteads. In showing the results of forestry demonstration, 2,284 woods or field meetings were held for the benefit of the adult farmer.

Each extension forester is carrying on the teaching of timber growing to agricultural county agents and the public by means of meetings held in public halls and schoolhouses, by means of distributing quantities of Federal and State literature, posters, and leaflets, and by exhibits.

Progress in forest legislation during the last three years has been noteworthy. Georgia, Idaho, Missouri, Oklahoma, Mississippi, Florida, South Carolina, and Delaware made provision during that period for forestry departments, the appointment of State foresters, and the protection of forest lands against fire. Illinois created a department of conservation, with forestry included, in its field of duties; Rhode Island strengthened its forestry organization by putting it under the Department of Agriculture.

Compulsory forest-fire patrol of forest lands has been provided by the States of Idaho and West Virginia, and Idaho has made the disposal of slash resulting from logging operations mandatory throughout the State. As an aid to forest-fire prevention the States of Massachusetts and Pennsylvania have joined others in giving the governor power to close the fishing and hunting season in periods of grave fire danger. New Hampshire has found its portable sawmills a source of danger to the woods; in order to keep a better line on where these are operating, legislation was passed requiring all such mills to register with the State forester, and thus keep him advised of their location. In general, the fire laws were strengthened in the States of Montana, Oregon, California, Pennsylvania, Washington, New York, Nevada, and Utah.

Section 3 of the Clarke-McNary law makes provision for the study of forest taxation. The Forest Service is now proceeding on that study under the guidance of Doctor Fairchild, who now has a staff of six or eight technical men and a clerical force at work. Field work commenced in the Lakes States region over a year ago and is now practically complete, and, although the office work for Wisconsin and Minnesota will continue during the winter months, Doctor Fairchild plans to commence work in the Pacific Northwest next June and will probably at the same time carry on work in at least one other region. It will be five years perhaps before the study can be completed. In the meantime the Forest Service work can not say with any finality what the provisions of an ideal forest tax law should be as to any particular region, but in due course we should have full information that should be of great assistance, because it

will be the best judgment of those who see the picture of forests in all of its economic, industrial, and other far-reaching aspects.

The great difficulty with forest taxation in America has been that it seems to have been the concern mostly of foresters and lumbermen and that our public-revenue authorities and the local assessors have had such a short-time view of the problem instead of recognizing it in the long-term view as a factor in permanent land utilization.

FORESTS AND FLOODS

No far-seeing man but what realizes that every forest fire in the Mississippi Valley and all the valleys of its tributaries makes a contribution to floods. Every abandoned farm, and millions of idle acres that are now a total economic loss, poor lumbering, overgrazing, and other personified selfish practices tend sooner or later to add their contribution to the crest of some flood. It is estimated that 30 per cent of the volume going down the great Father of Waters is soil or silt. Trees with their branches reaching outward and upward slow up action of the melting sun, delay the run-off, and all are contributing factors in diminishing the volume flowing to the sea.

FOREST RESEARCH

Three great forestry conferences have been held to consider the wider utilization of wood products, and direct, tangible results of these conferences are the result. The University of Wisconsin in its forest-products laboratories is giving courses to logging superintendents, to wood bosses and forest rangers that are forward looking and forest conserving.

Congressman McSWEENEY has introduced a bill that should have the early consideration of the Congress seeking to enlarge the activities in research work.

My own State of New York is leading the way in the planting of trees. Practically 26,000,000 trees were planted from our State nurseries in 1927. Beloved Tom Luther, as an individual, for the fourth year in succession has planted over a million trees. The New York Development Association (Inc.) has just set forth upon a program that calls for the planting of 1,000,000,000 trees in the next 15 years. Our women's clubs, Boy Scouts and Girl Scouts, farm and home bureaus and the 4-H clubs, all are engaged in tree-planting projects that set up in the youngsters' minds ideas of constructive activities rather than destructive ones. "Bending twigs and inclining trees" is one great incident of service, and much of this great inspirational, helpful work is directly attributable to the national leadership in reforestation under the Clarke-McNary bill.

Senator Hewitt, able and farseeing, has introduced two bills in the New York State Legislature, one providing for funds and the formation of a committee to study forest problems in the State of New York and make definite recommendations; the other to provide for a possible bond issue up to $100,000,000 to carry forward a 20-year program in the State of New York, and appropriating for the carrying out of this program up to $5,000,000 annually.

The demand of to-day is that the bill just passed by the Senate, known as the McNary bill, S. 1181, and introduced in the House by Congressman WOODRUFF, is the need because it makes available upon passage and approval of the bill by the President, $1,000,000; available July 1, 1928, $2,000,000; available July 1, 1929, $3,000,000; available July 1, 1930, $4,000,000; available July 1, 1931, $4,000,000; available July 1, 1932, $5,000,000; available July 1, 1933, $5,000,000; available July 1, 1934, $5,000,000; available July 1, 1935, $5,000,000; available July 1, 1936, $6,000,000; in all for this period, $40,000,000, to be available until expended.

This McNary-Woodruff bill may be properly termed "a supplementary law to create a fiscal policy covering section 7 of the Clarke-McNary bill of 1924," and bringing it to a fuller fruction.

GYPSY MOTH

We all feel that the work of preventing the spread of the gypsy moth is of vital importance; and the expenditure, at least, equal to last year should not be cut down to hamper this work in the barrier zone. The Bureau of the Budget estimate reduced the amount to be expended from $686,000 to $556,380 a year, a loss of $130,000. Every student familiar with this work feels that this cut should not be allowed, as do I, or else we will have another corn-borer problem on our hands and forests wiped out. The penny wise, pound foolish, picayune cutting down of such appropriations is a short-sighted policy and the Congress, which is the final authority, should not permit it.

May I intrude further on your time and patience by picturing again what I saw when traveling with the Senate reforestation committee in New England as to the great ramifications of helpfulness that come through a national reforestation policy.

In the New England States, largely in New Hampshire, is the White Mountain National Forest. Why a national forest instead of a State forest is the question that naturally propounds itself, and here is my explanation: It was my privilege to be invited by the select committee of the United States Senate to accompany it in its investigations that were carried on in 18 different States. We held our meeting in New York State and journeyed to Boston; from Boston our objective was this White Mountain National Forest.

As we journeyed toward it, we traveled for miles along the Merrimac River. We found community after community with their great manufacturing establishments dependent upon that stream for the employment offered to many thousands of people, dependent upon the evenness of the flow of that river for power that was harnessed, used, then harnessed and used again. We found the increase in the flow of the water and the steadiness of the flow of the Merrimac, even to its lowest reaches in Massachusetts, was due to this national forest way up in the New Hampshire hills. Looking to the west you could see the Vermont hills, and trickling down through the valleys were streams, feeders of the mighty Connecticut. With extreme fluctuation in the flow of the river largely eliminated because the run-off of the water was slower, due to the forests, with a greater amount of water in the river during the entire year, meaning increasing the depth of the flow by 5 or 6 inches, thanks to a national forest in the hills of New Hampshire. As we journeyed down the Androscoggin River into Maine we found history again repeating itself, mills and more mills, water power after water power, employment and more employment to thousands of people.

We also learned that during the summer in that national forest well over 2,000,000 people spent their vacations. So it follows, as the day the night, that every New England State shared in the benefits of a national law that is gradually building up a greater White Mountain forest, that will prove of immense service in every phase of the economic and industrial life of the New England States as well as in the commerce of the Nation. We need such national forests established in and about this State and in and about many of the other forest regions to the north, south, and west. The first national forest has been created under the Clarke-McNary bill—when the President by Executive order took out of the War Department and placed under the Secretary of Agriculture about 79,000 acres of the Fort Bennings, Ga., military reservation, and we expect to dedicate it to growing more trees for our people, and there are other military reservations to follow (two in New York State). And it is up to the States to enlarge on and broaden out their State policy of reforestation and get it going, so that they can join hands with the National Government in a program that shall tell the world of to-day that they are not falling down in their opportunity to bring back to our hills and dales the trees, to adorn and make more helpful the to-morrows, under that national leadership offered in the Clarke-McNary bill.

Theodore Roosevelt, that great American and pioneer conservationist, said:

> A people without children would face a hopeless future. A country without trees is almost as helpless; forests which are so used that they can not renew themselves will soon vanish, and with them all their benefits. When you help to preserve our forests or plant new ones you are acting the part of good citizens.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. MANLOVE].

Mr. MANLOVE. Mr. Chairman, a few days ago I introduced a bill, the general purpose of which was to increase the tariff on certain farm and agricultural products. At the present time I desire only to ask permission to introduce in the RECORD as a part of my remarks a comparative schedule which gives the present duty contained in the tariff law, together with the proposed duty which is incorporated in my bill. I feel the passage of this measure would be of material benefit to the agricultural and fruit-growing as well as the entire population of our country. [Applause.]

I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD in the manner indicated, and I yield back the remainder of my time.

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

There was no objection.

The statement referred to follows:

Commodity	Present duty	Proposed duty
Cattle, weighing less than 1,050 pounds each.	1½ cents per pound	3 cents per pound.
Cattle, weighing 1,050 pounds each or more.	2 cents per pound	4 cents per pound.
Fresh beef and veal	3 cents per pound	6 cents per pound.
Tallow	½ cent per pound	3 cents per pound.
Oleo oil and oleo stearin	1 cent per pound	Do.

Commodity	Present duty	Proposed duty
Cattle hides, dry and salted	Free list	8 cents per pound.
Cattle hides, wet salted	do	6 cents per pound.
Calfskins, dry or dry salted	do	16 cents per pound.
Calfskins, wet salted	do	10 cents per pound.
Swine	½ cent per pound	3 cents per pound.
Fresh pork	¾ cent per pound	Do.
Bacon, hams, and shoulders, and other pork, prepared or preserved.	2 cents per pound	4 cents per pound.
Lard	1 cent per pound	2 cents per pound.
Lard compounds and lard substitutes	4 cents per pound	4 cents per pound.
Extract of meat, including fluid	15 cents per pound	30 cents per pound.
Meats, fresh, prepared, or preserved, not specially provided for.	20 per cent ad valorem.	30 per cent ad valorem.
Milk, fresh	2½ cents per gallon	10 cents per gallon.
Sour milk or buttermilk	1 cent per gallon	2 cents per gallon.
Cream	20 cents per gallon	40 cents per gallon
Milk, condensed or evaporated, in hermetically sealed containers, unsweetened.	1 cent per pound	2 cents per pound.
Milk, condensed or evaporated, in hermetically sealed containers, sweetened.	1½ cents per pound	3 cents per pound.
Milk, all other	1⅜ cents per pound	2¾ cents per pound.
Whole-milk powder	3 cents per pound	6 cents per pound.
Cream powder	7 cents per pound	14 cents per pound.
Skimmed-milk powder	1½ cents per pound	3 cents per pound.
Malted milk and compounds or mixtures of, or substitutes for milk or cream.	20 per cent ad valorem.	40 per cent ad valorem.
Butter	12 cents per pound	16 cents per pound.
Oleomargarine and other butter substitutes.	8 cents per pound	Do.
Cheese and substitutes therefor	5 cents per pound, but not less than 25 per cent ad valorem.	10 cents per pound, but not less than 40 per cent ad valorem.
Birds, live; poultry	3 cents per pound	6½ cents per pound.
Birds, all other, valued at $5 or less each	50 cents each	75 cents each.
Birds valued at more than $5 each	20 per cent ad valorem.	40 per cent ad valorem.
Birds, dead, dressed or undressed; poultry	6 cents per pound	12 cents per pound.
Birds, all others	8 cents per pound	16 cents per pound.
Birds, all of the foregoing, prepared or preserved in any manner and not especially provided for.	35 per cent ad valorem.	70 per cent ad valorem.
Eggs of poultry, in the shell	8 cents per dozen	15 cents per dozen.
Whole eggs, egg yolk, and egg albumen frozen or otherwise prepared or preserved, and not especially provided for.	6 cents per pound	15 cents per pound.
Dried whole eggs, dried egg yolk, and dried egg albumen.	18 cents per pound	53 cents per pound.
Corn or maize, including cracked corn	15 cents per bushel of 56 pounds.	30 cents per bushel of 56 pounds.
Corn grits, meal, and flour, and similar products.	30 cents per 100 pounds.	60 cents per 100 pounds.
Bananas, green or ripe	Free list	50 cents per bunch.
Cherries, in their natural state, sulphured, or in brine.	2½ cents per pound	2½ cents per pound.
Pitted cherries, in their natural state, sulphured, or in brine.	do	5 cents per pound.
Maraschino cherries and cherries prepared or preserved in any manner.	40 per cent ad valorem.	50 per cent ad valorem.
Beans, not specially provided for, green or unripe.	½ cent per pound	3 cents per pound.
Beans, dried	1¾ cents per pound	5 cents per pound.
Beans, in brine, prepared or preserved in any manner.	2 cents per pound	Do.
Onions	1 cent per pound	3 cents per pound.
Garlic	2 cents per pound	2 cents per pound.
White or Irish potatoes	50 cents per 100 pounds.	1 cent per pound.
White dried, dehydrated, or desiccated potatoes.	2¾ cents per pound	5 cents per pound.
Potato flour	2½ cents per pound	Do.
Tomatoes, in their natural state	½ cent per pound	3 cents per pound.
Tomato paste	40 per cent ad valorem.	40 per cent ad valorem.
Tomatoes, all other, prepared in or preserved in any manner.	15 per cent ad valorem.	Do.
Vegetables in their natural state, not specially provided for.	25 per cent ad valorem.	Do.
Vegetables if cut, sliced, or otherwise reduced in size, or if parched or roasted, or if pickled, or packed in salt, brine, oil, or prepared or preserved in any other way and not specially provided for; soy beans, prepared or preserved in any manner; bean stick, miso, bean cake, and similar products, not specially provided for; soups, pastes, balls, puddings, hash, and all similar forms, composed of vegetables, or of vegetables and meat or fish, or both, not specially provided for.	35 per cent ad valorem.	50 per cent ad valorem.
Hay	$4 per ton	$6 per ton.
Straw	$1 per ton	$1 per ton.
Horse-radish roots	Free list	40 per cent ad valorem.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman, the adoption on the 24th of February by the Committee on Rivers and Harbors of a project for the improvement of the Black River inside Lorain Harbor, Ohio, marks another long and important step in a steadily changing policy as to the improvement of inner harbors on the Great Lakes. That policy has been for the Federal Government to improve the entrance and the outer harbor, and for the locality to provide and maintain the inner harbor.

This policy has entailed a large expense on the different cities on the Great Lakes, and has been in direct contrast with the policy as to ocean ports, where the Federal Government has provided, as a rule, for the entire harbor.

The following is a list of important harbors near the ocean, with a statement of the distance each of them is from the sea, viz:

New Orleans, La., 106 miles from Gulf of Mexico.

Philadelphia, Pa., 105 miles from Delaware Bay.

Baltimore, Md., 151 miles from Hampton Roads; 130 miles Chesapeake Bay.

Richmond, Va., 104 miles from Atlantic Ocean.

Wilmington, Del., 82 miles from Atlantic Ocean.

Jacksonville, Fla., 82 miles from Atlantic Ocean.

Sacramento, Calif., 104 miles from Pacific Ocean; 52 miles bay, 20 miles river, 32 miles canal.

The Government has done the work of providing and maintaining the channels to the harbors of all of these places, and it has also provided the funds and done the work to improve the harbors themselves, a practice which I am far from criticizing, and on the contrary commend.

The exceptions to the rule that the Federal Government will provide only the entrance and the outer harbor on the Great Lakes are the following, where the name of the port is followed by the river connecting with the Great Lakes, on which the Government has expended money, and the amount which has been expended in each instance, viz:

Toledo, 15½ miles of the Maumee River	$4, 993, 118
Detroit, about 1 mile of the Rouge River	718, 283
Chicago, 4 miles of the Chicago River and its branches	1, 941, 749
Calumet, 5½ miles of the Calumet River, the total expended on river and harbor	4, 120, 783
Grand Haven Harbor, Mich., on 39 miles of the Grand River and on the harbor	2, 128, 924

The improvement of the inner harbors and of the streams leading to them in all of the above instances, the adoption of the Lorain project last Friday, and a few days ago the approval of the report for the improvement of Grand Haven Harbor and Grand River, Mich., all mark what General Deakyne, Assistant Chief of Engineers, characterized in the hearing this morning as a tendency to change the policy on the Great Lakes so as to conform to that adopted on the ocean, to wit, for the Federal Government to assume the expense of improving inner harbors and connecting streams, or an equitable part of it, as well as that of the entrance and outer harbor.

This has an important bearing on conditions in Buffalo. The Buffalo River needs straightening, stabilization of its banks, and provision against freshets. A large number of important industries are located along this river, and the difficulty of navigating the Buffalo River, with its tortuous course, caving banks, and liability in the spring and fall to damage from freshets, is a serious loss. All of these disadvantages could be largely, if not wholly, obviated.

There are many great advantages to be derived from having the work of improving Buffalo River done by the Federal Government. First of all it will be of great value to have the Government engineers make a comprehensive and detailed survey of the stream, and determine just what should be done to make it easiest and most economical of navigation, and to reduce the maintenance charges to a minimum. The Federal engineers devote their lives to work of this kind, and they are the only engineers who do any considerable amount of this kind of work. They are naturally, therefore, the best qualified to devise the plan which will bring the best results, and at the lowest cost. They will appreciate and understand, too, what the needs of navigation are, not alone in Buffalo, but on the entire Great Lakes system, of which Buffalo River is a part, and their plan will, therefore, naturally, be one which will coordinate this river with all of the other channels of the Great Lakes, and make it a workable and economically navigable part of these channels.

Next, when once the river has been made a Federal project, it will be maintained on the same basis as the other channels. Progress will, from time to time, be made in deepening and otherwise improving these channels, and the development of this river will go hand in hand with other improvements. At the present moment the Committee on Rivers and Harbors is expecting a report on the deepening of the Great Lakes' channels. This will, it is understood, provide for a depth of 25 feet, instead of the 20 feet, which is that provided by the legislation dealing with these channels. To meet this added depth on Buffalo River will not alone require a large expenditure but it will require expert planning to determine just how it can best be obtained, how bridges and sharp bends should be dealt with, besides a large number of allied but equally important questions. So, not alone from a standpoint of saving

expense to the municipality, but from that of making Buffalo River the really valuable stream it should be for water-borne commerce, it would be of the very greatest importance to have it adopted as a project by the Federal Government.

On the Great Lakes is by far the largest and most valuable water-borne commerce we have. The policy of the Federal Government as to improvements on the Great Lakes system should be liberalized so that valuable streams with a large commerce, like Buffalo Creek, can be modernized, and the commerce on them carried conveniently, expeditiously, and economically.

With an increased diversion of 40,000 cubic feet at Niagara (which is bound to come soon), giving us, as it will, 1,200,000 additional horsepower, we are sure to have a tremendous growth in manufacturing and in freight on the Niagara frontier, and we will need to have the Buffalo River straightened, its banks stabilized, and need an American deep waterway from Buffalo to Olcott, to provide for carrying the frontier freight to and from the East and between the different points on the frontier.

I am very earnestly working for, and hope to secure in the near future, this added diversion for power at Niagara; a deep-waterway canal from Buffalo, by way of Tonawanda, Lockport, and Olcott, to connect Lake Ontario with and make it a part of the Great Lakes system; the improvement of Buffalo River; and the deepening of the Niagara River from Tonawanda to Niagara Falls. With these improvements secured, Buffalo ought soon to be as large as either Cleveland or Detroit. Indeed, Buffalo, the Tonawandas, Niagara Falls, and Lockport will, when these advantages have been realized, become so closely connected as to be practically one great, growing, and prosperous locality, if not one city.

Mr. DICKINSON of Iowa. Mr. Chairman, I yield two minutes to the gentleman from Iowa [Mr. LETTS].

Mr. LETTS. Mr. Chairman and gentlemen of the committee, the whole country at this time is exceedingly interested in all questions relating to radio. I am sure that every Member of this House is making an intensive study of results at the close of the first year of the administration of the radio law. Out in our town we have a man who is one of the pioneers in radio, a man who has made a close study of radio matters from its inception and is now the manager of one of the best stations in the country. I have before me a splendid statement by him which appears in the Davenport Daily Times of February 28. It is somewhat critical of the administration of the law and somewhat critical of Congress and its understanding of the subject and of the provisions of the law. It is analytical of proposed changes with respect to this law.

Mr. O'CONNELL. Is this statement by the gentleman to whom the gentleman from Iowa referred in the first portion of his remarks?

Mr. LETTS. Yes. I think it will be helpful to the Members of this House in understanding the matter if they may have the opportunity to read it. Therefore I ask unanimous consent to extend my remarks in the RECORD by publishing therein this short statement by Dr. Frank W. Elliott, of Davenport, Iowa, who was formerly president of the National Broadcasters Association and at the present time one of the directors of that association.

The CHAIRMAN. Is there objection?

There was no objection.

The statement is as follows:

[From the Davenport Daily Times, February 28, 1928]

ELLIOTT ATTACKS RADIO REGULATION MEASURE PENDING BEFORE CONGRESS; TRUST WOULD CONTROL BROADCASTING

Dr. Frank W. Elliott, past president and now a director of the National Broadcasters' Association and manager of station WOC of Davenport, to-day opened fire on the radio regulation bill pending before Congress.

"It will put broadcasting into the hands of the great Radio Trust," he declared.

The section of the proposed regulatory measure to which Doctor Elliott protests is that which provides for the allocation of stations according to the population and area of the States.

"This would have the effect of closing some of the finest stations in the country, and would provide for others where there are none now and where there is no need or desire for one," he said.

"The radio artists can not be persuaded to leave the centers of population and the smaller stations would be compelled to subscribe to chain programs controlled by the great radio interests.

SITUATION GRAVE

"The radio situation in Washington is exceedingly grave. The House Merchant Marine and Fisheries Committee has just reported the radio bill recently passed by the Senate by adding a proposal which amends paragraph 2, section 9 of the present radio act in such a manner that it requires one-fifth of all license wave lengths and power be allocated to each of the five radio zones without regard to population or area.

"The second part of the proposal requires distribution of this one-fifth equitably, among the several States, in each zone according to population and area. It disregards test of service as evidence by the listeners, and directs every attention to the location of transmitters.

"It must be evident to everyone that a wide variety of programs is necessary for the approval of radio listeners, and that large centers furnish the greatest amount of this talent. Under the proposal, stations not located in the remote sections of the country would be either obliged to close down, or almost entirely curtail their service. Chain programs, which are now rapidly covering the country, will be greatly augumented by this proposal, and it is not difficult to foresee a gigantic network of wires out of the great centers, completely dominating the radio field.

CONGRESS JEOPARDIZES RADIO

"Radio must be intelligently and scientifically controlled. Congress, with its limited knowledge of radio and its tendencies to inject politics into everything it does, will, in my opinion, jeopardize the best interest of the radio public if legislation is passed merely for the purpose of favoring special interests, and of already too powerful commercial combinations. Radio is one of the greatest blessings that this country has ever enjoyed, and it is to be hoped that no such dangerous experiments as those recently proposed by the committee, will ever be adopted by Congress.

"A good example of the lack of wisdom on the part of Congress in the present radio law, as compared with what could have been accomplished had Congress delegated proper authority to the Department of Commerce, is well understood by the listeners of the Middle West. Conditions are not better; they are even worse than under the radio act of 1912. Instead of making any improvement, Congress in trying to safeguard public interest, without an adequate knowledge of the proper methods, and with its apparent distrust of qualified agencies of information, made a monumental hodgepodge of the whole job, and even worse proposals are made in their most recent attempts.

"It is high time for the radio listeners of the country to become aroused and denounce any such impractical proposals. If the proposed amendments should be adopted, radio listeners can expect no benefit or let-up in interferences under such a proposal. On the contrary, they are very apt to be obliged to listen to one or two programs, and under the terms and conditions laid down by the so-called Radio Trust."

Mr. BUCHANAN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. CASEY].

Mr. CASEY. Mr. Chairman, I have a brief statement to make with reference to the rather unfortunate and unpleasant situation which arose in the House the other day between myself and the gentleman from Nebraska [Mr. SIMMONS]. In view of the statement of the gentleman from Texas [Mr. BUCHANAN] that no additional time will be granted, I request that I be not interrupted until I have completed my statement, after which I will be very glad to yield to any one desiring to ask a question.

Mr. Chairman, the other day I rose in my place in the House and made a unanimous-consent request to strike from the CONGRESSIONAL RECORD certain language inserted into my speech without my knowledge or consent, charging at that time that, in my opinion, the language inserted, as it referred to me, was absolutely untrue; and, further, that whoever did this had violated the rules of the House. Considerable interest was shown in the question raised by me by several Members and at the suggestions of the gentleman from Michigan [Mr. CRAMTON] I temporarily withdrew my request for the time being. Later in the day I renewed my unanimous-consent request, the gentleman from Nebraska [Mr. SIMMONS] then being on the floor. The statement I made in the earlier part of the day is as follows:

Mr. CASEY. Mr. Speaker, I rise to make a unanimous-consent request that certain language printed in the CONGRESSIONAL RECORD during my remarks on the District of Columbia appropriation bill the other day, which was inserted without my knowledge or consent—by whom I do not know—be stricken from the RECORD.

I have in my hand the reporter's copy of my speech, just referred to. After the House adjourned on Friday, February 24, I took it to my office and corrected the reporter's copy of the speech I had made during the session of the Committee of the Whole. I then handed the copy to the messenger, as we all do, to take it to the Government Printing Office to be printed in the CONGRESSIONAL RECORD as part of the proceedings of that day. Judge of my surprise and amazement when I read the CONGRESSIONAL RECORD the next morning and discovered that somebody had inserted language into my remarks that did me a great injustice and put me in a rather embarrassing position in the eyes of the Members of the House, because the language inserted as

it referred to me is absolutely untrue; and furthermore, Mr. Speaker, whoever is responsible for this is guilty of a violation of the rules of the House of Representatives.

* * * * * * *

The statement that the bill was reported to the full committee by unanimous consent is untrue and does me a great injustice, because the hearings will show that in the committee I was opposed to the proposition of closing the doors of the public schools to all children not dwelling in the District of Columbia. I opposed it on the floor of the House, which can be verified by the previous day's proceedings, and I was opposed to it when it was under discussion under the five-minute rule. The insertion of this language or any language into my remarks without my consent is a violation of the rules of the House. Mr. Speaker, I therefore ask unanimous consent that the language indicated by me be stricken from the CONGRESSIONAL RECORD.

As I stated a moment ago, later in the day I renewed my unanimous-consent request, and then yielded to the gentleman from Nebraska [Mr. SIMMONS], the chairman of the subcommittee on the District of Columbia appropriation bill.

Quoting Mr. SIMMONS:

Mr. SIMMONS. Mr. Speaker, in the debate in the House last Friday the transcript shows that I addressed the gentleman from Pennsylvania and asked if he would yield. He answered "yes." Then the transcript shows that I stated that "I would like to call the gentleman's attention to the fact that it was thoroughly discussed—that was, the amendment then under consideration—and to the fact that at first the gentleman from Pennsylvania [Mr. WELSH] objected to this being done unless we would take care 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, and we drafted the amendment to meet the wishes of the gentleman and his colleague from Pennsylvania [Mr. WELSH]."

Then the gentleman from Nebraska continued:

After the adjournment of the House on Friday I corrected some of the transcript of the discussion that was brought to me in my office and went to my residence, which is about 5 miles from the Capitol. Along about 7 or 7.30 o'clock in the evening some one from the reporters' office called me over the telephone and asked if he could read my statement to me over the telephone for approval or disapproval, to save him coming out the 5 miles to my residence with the transcript. He read it to me, and as I remember it, I dictated over the telephone, and whoever it was took it down and read back to me the language to which the gentleman from Pennsylvania objects, I asking that he change my statement so that it would read as follows:

"I would like to call the gentleman's attention to the fact that this paragraph was in the bill when the subcommittee reported to the full committee, and it was printed in italics in the report that the subcommittee presented to the main committee. The gentleman made no objection either in the subcommittee or the full committee to the language being in the bill; the bill was reported unanimously by the full committee; it was thoroughly discussed in the subcommittee and the full committee, and to the fact that at first the gentleman from Pennsylvania 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 that 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."

I assumed then and I assume now that I had the right to amplify the statement that I had made by setting out in brief detail the facts covered by the original statement. * * * I believe that I was entirely within the rules of the House in doing what I did. * * * The statements that I made on the floor were the facts then, and the statement that I amplified and stated in the RECORD were the facts when I made them. They are the facts now. However, if the gentleman from Pennsylvania does not want them in the RECORD, I have no objection to their being stricken out of his speech in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania that certain language be stricken out?

There was no objection.

The Speaker of the House, upon a parliamentary inquiry made by the gentleman from Tennessee at the opening of the session to-day, ruled that any Member who inserted language not spoken on the floor of the House or in Committee of the Whole into the speech of another Member without the consent of the other Member is guilty of a violation of the rules of the House of Representatives. The Speaker having decided that question between myself and the gentleman from Nebraska [Mr. SIMMONS], it is not necessary for me to go into that phase of it any further.

Now, I want to direct my remarks to the other phase of this question, as to the correctness of the statement made by the gentleman from Nebraska [Mr. SIMMONS]. I read from his language as it appears in the RECORD. After he had plenty of time to consider it and weigh what he was going to say, he again repeated on the floor of the House and in the CONGRESSIONAL RECORD the outrageous statement he had made a few days previous. I quote from the gentleman's remarks:

Mr. SIMMONS. I would like to call the gentleman's attention to the fact that this paragraph was in the bill when the subcommittee reported to the full committee.

That statement is untrue, because of the fact that the subcommittee was never called together and never passed upon the language as printed in the bill. Then the gentleman goes on:

It was printed in italics in the report that the subcommittee presented to the main committee.

That statement is also untrue, because the subcommittee did not have any meeting from which the bill could be reported; as far as I am concerned, I never saw the report until I secured a copy of it at the meeting of the full committee. The inference is that it was printed in italics and that I knew all about it and did not object to it. It may have been printed in italics, but so far as me seeing the report and agreeing to it or not objecting to it, I repeat there never was a meeting of the subcommittee called to consider the report, therefore I could not have seen it or known what was in it. I do not know who wrote the report, nor do I know who prepared the language in the bill as reported to the full committee and the House. Then the gentleman from Nebraska continues:

The gentleman made no objection either in the subcommittee or the full committee to the language being in the bill.

Of course I did not object. I could not make objection to it in the subcommittee when there was no meeting of the subcommittee called to pass upon the language in the bill or the report. Then the gentleman from Nebraska continues:

The bill was reported unanimously by the full committee, it was thoroughly discussed in the subcommittee and the full committee.

It was not discussed in the subcommittee, because there was no meeting of the subcommittee called for the members to pass upon the bill or the report as prepared by somebody—I know not who. I read further from Mr. SIMMONS's remarks:

And 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.

That statement is true. I also objected to anything being done in the subcommittee or by the full committee or by the House of Representatives or anyone else that was going to be harmful to the innocent children in preventing them from coming into the District and attending the public schools of the District. The gentleman from Nebraska continues (I am still reading from his remarks as they appear in the CONGRESSIONAL RECORD):

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.

I wish I could believe that to be true. Then the gentleman from Nebraska continues:

And we drafted the amendment to meet the wishes of the gentleman and his colleague from Pennsylvania [Mr. WELSH].

I want to say to the members of the committee that statement is untrue, because I never knew that this provision to close the doors of the public schools to the children was in the bill, I never was consulted about the matter after I positively protested against it going into the bill. Since this question arose I took the liberty to speak to two other members of the subcommittee; I have no desire to involve them or anyone else in this unpleasant and unfortunate situation. I spoke to the gentleman from New York, my colleague [Mr. GRIFFIN], and he informed me he had no knowledge of the subcommittee ever meeting to pass upon the language of the report or the language of the bill.

I also spoke to my colleague from Pennsylvania [Mr. WELSH]. He likewise informed me that he had no knowledge of the subcommittee ever being called together to pass upon the language in the bill or the language in the report, and the first time that we three members of the subcommittee knew what was in the report or in the printed bill was when we were called into a meeting of the full Committee on Appropriations for the consideration of the bill. A copy of it was laid on the table, also a copy of the report, and the chairman of the subcommittee, the gentleman from Nebraska [Mr. SIMMONS], then arose and read from the report such parts of the report as he chose to read; we followed him as best we could to get such information

from his remarks as it were possible with reference to the bill and the report, which the chairman states was unanimously reported from the subcommittee.

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

Mr. CASEY. Mr. Chairman, I ask unanimous consent that I may proceed for five additional minutes.

The CHAIRMAN. The time is controlled by the gentleman from Texas and the gentleman from Iowa.

Mr. BUCHANAN. So far as I am concerned, I can not grant any extension, in accordance with my statement a while ago. If the gentleman on the other side chooses to give him five minutes, I have no objection.

Mr. CASEY. Mr. Chairman, I ask unanimous consent——

The CHAIRMAN. The Chair must repeat that he is powerless in the matter. Consent must come from the two gentlemen in control of the time.

Mr. CASEY. I was not going to ask unanimous consent to continue but to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may extend his remarks in the RECORD. Is there objection?

Mr. SIMMONS. Reserving the right to object, I would like to have the gentleman from Iowa [Mr. DICKINSON]——

Mr. CASEY. Mr. Chairman, I withdraw the request.

Mr. SIMMONS. I am going to try to get the gentleman additional time. I ask the gentleman from Iowa [Mr. DICKINSON] to give the gentleman from Pennsylvania [Mr. CASEY] five additional minutes.

Mr. DICKINSON of Iowa. Mr. Chairman——

Mr. CASEY. Mr. Chairman, I withdraw my request.

The CHAIRMAN. Which request—for the five minutes or for the extension?

Mr. CASEY. Either or both; my understanding is that I have only one request pending; that is, to extend my remarks in the RECORD, which I have withdrawn.

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

MAJ. GEN. WILLIAM CRAWFORD GORGAS

Mr. TAYLOR of Colorado. Mr. Chairman and ladies and gentlemen of the House, I am going to ask your indulgence a few minutes to informally talk to you on a matter of sentiment, of national pride.

My wife and I spent the recent holiday recess of Congress, as we have several times before, on a trip to Panama. While there we again visited the wonderful United States Government hospital on the Canal Zone, on our own soil and under our own flag. I want to give you a brief description of that hospital and the impressions it made upon me.

Having in recent years had quite a varied experience with the surgical equipment of numerous hospitals, both Government and private, I feel that I can qualify as an unofficial and nonprofessional expert on hospitals.

THE ANCON HOSPITAL

In 1883 the first French canal company built the old Ancon Hospital on terraces laid out on a reservation of 80 acres on the north and northeast slopes of an extinct volcano about 650 feet high and known as Ancon Hill. The word Ancon is derived from a Greek word meaning an elbow, or a prominent point. It is a splendid and healthy location facing the city and bay of Panama. The hospital was operated by the French Sisters of St. Vincent de Paul. From 1883 to 1889 when the French did their most active work on the canal this hospital was filled with patients. There were more than 5,000 deaths in the hospital and about one-fourth of them were caused by yellow fever quite largely contracted after entering the hospital. In fact, this hospital itself became one of the principal centers for the propagation and spread of yellow fever, because it was not then known that this disease is communicated by the stegomyia mosquito, which breeds only in comparatively clear and clean water. The French sisters beautified the grounds with many ornamental plants and flowers and to protect them from the myriads of ants that abound on the zone they surrounded their flower beds with a concrete curb grooved to hold a ribbon of water. Not only that but the feet of the cots were placed in little pans of water to keep the ants and other insects from crawling up, and the attendants seem to have never noticed the mosquito wigglers swarming in all the stagnant water in all these pans and ornamental bowls of flowers. The wards were not even screened and when yellow-fever patients were brought into the hospital the mosquitoes bred there would promptly suck the poison from their blood and quickly spread it to all the other patients. The yellow-fever ward was known as the St. Charles, and it is authoritatively stated that more people died from yellow fever in this building than in any other hospital in the world. Practically one-third of all the white employees of the French company died of yellow fever and pernicious malaria.

The hospital became a horrible death trap, and remained so until General Gorgas went there. Fortunately for the many thousands that might otherwise have died in this hospital, the old French company became utterly bankrupt in 1889, and from that time for 15 years, until the possession of the canal and all the French property was turned over to the United States in the spring of 1904, the work on the canal was only carried on in a perfunctory manner, and the use of this hospital was luckily insignificant. From 1898 until 1902, General Gorgas had been the chief sanitary officer of Habana. In that capacity he was in close contact with the Walter Reed board in its investigations into the cause and manner of transmission of yellow fever, and he so vigorously put the discoveries of the board into practical application that in seven and a half months, from February 1, 1901, to September 15, 1901, he completely eradicated yellow fever from Habana, where it had existed continuously for over 150 years. He changed Habana from one of the worst pest holes in the world to the beautiful healthful city it is to-day. In March, 1904, General Gorgas with three associates appointed at his request—John W. Ross, Maj. Louis A. Legarde, and Maj. Cassius E. Gillette—was ordered to accompany the Panama Canal Commission as its sanitary adviser for the purpose of protecting the force during the construction of the canal. He promptly made an investigation and made a detailed report of what he and his advisers deemed necessary to clean up that zone and protect the officials and employees; and as a result he was, in April, 1904, ordered to report to the Panama Canal Commission as the chief sanitary officer for the Isthmus. The French company formally transferred the title to all the canal property to the United States on May 4, 1904, and immediately thereafter General Gorgas began work, and he loyally stuck to it day and night for 10 years. In all the history of the world there has never been a more gigantic or important task placed upon any one man. We were very soon to have 40,000 employees on the Isthmus, and their lives were in his hands.

In the olden days the Isthmus of Panama had been the scene of unspeakable villainies, massacres, piracies, and human slavery in its most brutal forms. The whole 40-mile stretch, composing what is now the Canal Zone, was known throughout the world as the "white man's grave." It was one sweltering rendezvous of death and disease. In all the world there was perhaps not concentrated in any single spot so much disease. The Isthmus was largely a damp tropical jungle, intensely hot, swarming with mosquitoes, snakes, lizards, alligators, and all manner of reptile and insect life covered this oozy ground. It was the home of yellow fever, typhus, malaria, and dysentery. At each end of this pestilent neck of land was a small city, Colon on the Atlantic side and Panama on the Pacific, both without underground sewers or piped or clean drinking water. It was a dark and gloomy jungle, the breeding place of all kinds of tropical diseases, especially yellow fever and malaria. At one time 500 young engineers came from France and went to work in the swamps, and not one of them lived to draw his first month's pay. There is a record of the death of 22,819 laborers and no one will ever know the number of unrecorded deaths. It was the stalking ground of death, with the rainy season lasting from about April 15 to December 15, when the people died of yellow fever in four or five days, and the dry season lasting the other four months, when they died of pernicious fever in from 24 to 36 hours. Epidemics always took place whenever the Isthmus was crowded with strangers. This was the appalling condition confronting General Gorgas and his little band of assistants when our Government paid $40,000,000 for it and took over the Canal Zone in May, 1904. Our engineers had the skill, our people had the ambition, and our Government had the money to build the canal. But it never would have been built without the genius of General Gorgas. Within less than two years after he obtained the necessary help and supplies he exterminated the mosquitoes, eradicated yellow fever and malaria, and cleaned up the zone and made possible the building of the canal. Our country would never have tolerated the appalling loss of life—one-third of the entire white population—that the French suffered. We would have been compelled to select Nicaragua for the construction of the canal, and the Isthmus of Panama would be to-day in substantially the same condition that it was 25 years ago.

The Canal Zone is to-day healthier than the average American community. And it is occupied by many thousands of healthy and contented American citizens who are helping to maintain and operate the great canal; but it is doubtful if any American citizens or many people of any kind would be on

the Isthmus to-day if the splendid work of General Gorgas had not been performed.

When he took charge he immediately tore out the old water pots and troughs of the old Ancon Hospital that had been prolifically breeding the yellow fever for over 20 years, and screened the wards, and completely eradicated the mosquito and the yellow-fever breeding in that hospital.

Maj. Louis A. Legarde, who had come there with General Gorgas, was at once installed as the first superintendent of the hospital.

Under the general's direction, and the immediate supervision of Major Legarde, the work of cleaning up the grounds and repairing the buildings was at once begun. The old wooden buildings that had been built over 20 years before, and most of them little used or kept up, were torn down or repaired, rebuilt, remodeled, and greatly enlarged, and many new buildings were built; so that in a comparatively brief period there were within the hospital reservation about one hundred suitable and modern buildings, with a total capacity of 1,200 patients. Our Government has spent many millions of dollars upon this hospital, substituting modern and handsome concrete buildings for the old frame structures, and putting in modern surgical and other equipment. For many years it has been known as "the New Ancon Hospital," and it has been proclaimed by many to be the most beautiful hospital in the world. Every American citizen who can do so should visit the Canal Zone and see this splendid American hospital that is now well known throughout and patronized by many people of Central and South America.

This New Ancon Hospital is a magnificent monument to the spirit of America and the genius of General Gorgas.

On my recent visit, as I walked through some of the magnificent buildings and over the exquisitely beautiful grounds of this great hospital, as I had done several times in former years with General Gorgas himself, and remembered the supreme pride that he took in the buildings and the great development and modern equipment and wonderfully beneficial use and great international success of that hospital, and when I thought to myself of the several other splendid Government hospitals, including the almost equally beautiful Letterman Hospital at the Presidio of San Francisco, named after Major Letterman; and the Tripler Hospital at Honolulu, named after General Tripler; and the great Walter Reed Hospital adjoining our Capital City, named after Maj. Walter Reed; and also several other fine hospitals named after Army physicians who rendered distinguished services to our country, and reflected that the name "Ancon" had no particular meaning or signification that at all warranted that great hospital bearing that name, the thought came most forcibly to me that this hospital, made possible only by General Gorgas, should, as a proper recognition of his services and his genius, and by every reason of fitness, appropriateness, justice, national pride, and patriotism, be named the Gorgas Hospital.

I have scarcely ever in my life had a thought come to me so spontaneously and so forcibly as that did at that time. I could not conceive of how any red-blooded American could object to a tribute of that kind, that is so preeminently fair and so richly merited. No hospital in the world ever more justly deserved to bear the name of its creator.

It seemed to me that if there are a hundred and twenty million people under our flag that there ought to be that many perfectly good reasons why this hospital, which he rebuilt and where he lived and so grandly served his country, should bear the name of one of the greatest men our Nation or the world has ever known. The change will not cost one dollar. It will not injure one human being. It will not affect a dollar's worth of property rights. Congress will honor itself, and each of us will honor our country and ourselves, by making this change. I firmly believe our act will be an inspiration to the youth of America as long as the Stars and Stripes float over our country.

For the purpose of attempting to carry out that thought, on my return to Washington I wrote and introduced H. J. Res. 175 on January 20, 1928, which reads as follows:

Joint resolution to change the name of the Ancon Hospital in the Panama Canal Zone to the General Gorgas Hospital

Resolved, etc., That in recognition of his distinguished service to humanity and as a fitting perpetuation of the name and memory of Maj. Gen. William Crawford Gorgas, from and after the passage of this act the Government hospital within the Canal Zone, near the city of Panama, heretofore known as the Ancon Hospital, shall hereafter be known and designated on the public records as the General Gorgas Hospital.

SEC. 2. That the change in the name of the said hospital shall in no wise affect the rights of the Federal Government, or any municipality, corporation, association, or person; and all records, maps, and public documents of the United States in which said hospital is mentioned or referred to under the name of the Ancon Hospital or otherwise, shall be held to refer to the said hospital under and by the name of the General Gorgas Hospital.

The resolution was referred to the Committee on Military Affairs and that committee promptly and unanimously favorably reported the resolution without any amendment. When it was called to the attention of the Committee on Interstate and Foreign Commerce objection was made to the jurisdiction of the Military Affairs Committee on the ground that matters pertaining to the Panama Canal Zone are, generally speaking, handled by the Committee on Interstate and Foreign Commerce. Thereupon Speaker LONGWORTH referred the resolution to the latter committee, which likewise very promptly and unanimously favorably reported the resolution. The committee recommended one amendment, namely, that it be called "The Gorgas Hospital" instead of "The General Gorgas Hospital." That amendment is perfectly satisfactory to Mrs. Gorgas and to me and I think to all of the general's friends. No title is necessary to his fame. The world knows only one Gorgas.

I may say that I have been very much gratified to receive a large number of commendations of this resolution, and I especially appreciate one from the widow of General Gorgas, as follows:

1661 CRESCENT PLACE,
Washington, D. C.

Hon. EDWARD T. TAYLOR,
House of Representatives, United States.

MY DEAR MR. TAYLOR: I was very much surprised and pleased to hear that you had introduced the joint resolution in the House of Representatives to change the name of Ancon Hospital, in the Panama Canal Zone, to the General Gorgas Hospital.

It is most gratifying to have this recognition of Doctor Gorgas's work in Panama, and I hope this bill may pass.

We lived at Ancon the 10 years we were on the Isthmus, the first 3 years in one of his wards of the hospital. The place is full of memories, and Doctor Gorgas loved it. That the hospital may hereafter bear his name pleases me beyond measure.

Many thanks to you, my dear Mr. TAYLOR, and to the Members who are interesting themselves in this measure.

Cordially, MARIE D. GORGAS.

JANUARY 26, 1928.

Also a letter from Surg. Gen. Hugh S. Cumming as follows:

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE,
Washington, January 27, 1928.

Hon. EDWARD T. TAYLOR,
House of Representatives, Washington, D. C.

MY DEAR MR. TAYLOR: My attention has just been directed to House Joint Resolution 175, introduced by you for the purpose of changing the name of the Ancon Hospital in the Panama Canal Zone to the General Gorgas Hospital.

This is a real inspiration, and I congratulate you for having thought of such an appropriate memorial to this great sanitarian and administrator, whose name will always be inseparably connected with health and sanitation on the Canal Zone.

Sincerely yours,

H. S. CUMMING, *Surgeon General.*

When the bill was before the Committee on Military Affairs the following letter was addressed by Major General Ireland, Surgeon General of the War Department, to Mr. JAMES, the acting chairman of that committee:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 23, 1928.

Hon. W. FRANK JAMES,
House of Representatives, Washington, D. C.

MY DEAR MR. JAMES: In compliance with your request, I have to state that House Joint Resolution 175, introduced into the House of Representatives on January 20, 1928, by Mr. TAYLOR of Colorado, to change the name of Ancon Hospital to General Gorgas Hospital, has been brought to my attention.

It seems to me that this change of name would be a very appropriate way to honor the memory of General Gorgas, who was the head of the sanitary department on the Canal Zone during the entire time the canal was under construction.

May I say that Ancon Hospital does not belong to the War Department, but was built and is administered by the Isthmian Canal authorities.

Very sincerely yours,

M. W. IRELAND,
Major General, the Surgeon General.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; I yield to the gentleman from Illinois.

Mr. MORTON D. HULL. The gentleman is familiar with the fact that there is a bill before the House for a Gorgas memorial?

Mr. TAYLOR of Colorado. Yes; and I hope that research laboratory may be built. The idea is a splendid one. Of course, that has nothing to do with the name of this hospital. That memorial building is proposed to be erected in the Republic of Panama at some distance and on the opposite side of the city of Panama from this hospital, as I understand it. If I have time, I will refer to that matter again before I conclude.

I hope some day to see a monument or memorial building or some kind of a structure at some suitable place on the zone or some appropriate recognition of the splendid services of all the great engineers and others who helped to construct that canal: John F. Stevens; Gen. George W. Goethals, chief engineer and chairman of the commission, who passed away a few days ago; and Col. William S. Sibert, the genius of the locks, whose creation of the Gatun Dam and locks and lake added glory to American engineering; and Col. H. F. Hodges and Rear Admiral H. H. Rousseau, of the United States Navy, and many others.

Colonel Gaillard is the only one of all of them that I know of who has received a substantial, well-deserved, and lasting monument to his memory and memorial to his services on the zone. President Wilson immortalized Gaillard's fame as an engineer by issuing an Executive order changing the name of Culebra Cut and naming it after Colonel Gaillard, as follows:

EXECUTIVE ORDER

It is hereby ordered that the portion of the Panama Canal through the continental divide heretofore known as "Culebra Cut" shall hereafter be named "Gaillard Cut" in honor of the late Lieut. Col. D. D. Gaillard, Corps of Engineers, United States Army.

As a member of the Isthmian Canal Commission from March 16, 1907, to December 5, 1913, Lieutenant Colonel Gaillard was in charge of the work in Culebra Cut until its virtual completion, being compelled to abandon his duties in July, 1913, through an illness which culminated in his death on December 5, 1913. His period of Panama Canal service included the years of most active construction work. He brought to the service trained ability of the highest class, untiring zeal, and unswerving devotion to duty.

I deem it a fitting recognition of Lieutenant Colonel Gaillard's service to the country to rename in his honor the scene of his life's triumph.

WOODROW WILSON.

THE WHITE HOUSE, *April 27, 1915.*

There are three great names that will always stand out in history in connection with the construction of the Panama Canal. The greatest act, an one that will be longest remembered, in my judgment, in the life of President Roosevelt, was in making it possible for the Panamanian Republic to maintain its independence and its existence as a republic, and in taking over the gigantic French fiasco on the Isthmus and making it possible for our country to get possession of the Canal Zone. I think that was the greatest benefit to our country and to humanity of the many acts in his long and marvelously useful and vigorous career.

Next in order is General Gorgas, who is given the credit by every nation in the world, of making it possible for our country to build the canal at that place.

And third, General Goethals, who came there after the work of General Gorgas had made it possible, and was the iron hand, the executive force, and the dominating spirit over the 40,000 employees that drove the work to a successful completion.

Each of those three men was ideally suited for the great task he performed, and not one of their names has been preserved or honored in any suitable way upon that scene of his greatest life work.

Personally, I think the canal ought to have been called the Roosevelt Canal; and I feel that one of the great locks should be named after General Goethals, another one after General Sibert, and that the other lock should be named after the next most deserving person on this great work.

I believe monuments of that kind and at that place would be much more fitting, suitable, and lasting than any others. Stone monuments and bronze statues are temporary and fleeting, and little noticed these days. I do not think great constructions of that kind should permanently retain insignificant and meaningless names. I think this would recognize and encourage patriotism. I feel it is a worth-while idea which has no relation to politics or money-making or other ulterior purpose.

Those great works of engineering skill and genius would be a living and lasting monument to their memory for possibly several hundred years, or at least until our country makes that a sea-level canal, which we will do some time.

However, these are matters that Congress will, I am sure, suitably handle some time.

General Gorgas stands out alone. He was not an engineer. He was a physician; he became the whole world's physician. He made possible the building of the "The eighth wonder of the world," the greatest physical undertaking since the building of the Egyptian pyramids. No one would have ever had any career on the Zone, other than death, if Gorgas had not first cleaned and redeemed that 400-year-old cesspool of disease before they went there. In two years he converted that horrible jungle into a delightful health resort, which it has been ever since.

He passed away nearly eight years ago and our country has not yet, to my knowledge, erected any monument or even a tablet to his memory.

That great hospital that he first made possible and then supervised the construction of, is his natural, permanent, and most suitable, proper, and appropriate monument and memorial; and that honor would not in any way conflict with or detract from the just fame and glory of anyone else. It would be a thousand times more appropriate than a stone monument that would cost a million dollars. From my acquaintance with him I do not believe he would care much for a stone monument or a bronze statue. I believe if he were alive he would very much more appreciate the actions of Congress in passing this resolution than in any of the many other honors that Congress has conferred upon him.

BIOGRAPHICAL SKETCH

I trust the Members of the House would be pleased to have your memories refreshed by a very brief and informal reiteration of a few of the main features of the life and services of General Gorgas. Every one should read his work on "Sanitation in Panama," and also the book entitled "William Crawford Gorgas, His Life and Work."

I am compelled by my limited time to speak rapidly and from memory only, and may not be technically exact. He was born at Mobile, Ala., October 3, 1854. He was the son of Gen. Josiah Gorgas, chief of ordnance of the Southern Confederacy during the Civil War, and who was afterwards president of the University of the South, at Sewanee, Tenn. And also president of the University of Alabama.

His mother was a daughter of Governor Gayle, of Alabama.

General Gorgas spent his boyhood days in part in Alabama and, during the war, with his mother in Richmond, Va., and afterwards in Baltimore, Md. He tried very hard, but failed to get an appointment to West Point.

He attended the University of the South and graduated in 1875, with an A. B. degree. He entered the Bellevue Hospital Medical College of New York, from which he graduated with a M. D. degree in 1879.

On June 16, 1880, he was commissioned in the Medical Department of the United States Army as a first lieutenant.

In 1885 he was sent to Brownsville, Tex., for service in connection with an epidemic of yellow fever. In his work he contracted yellow fever himself and came near dying, but fortunately for the world he recovered and was thereafter immune to that disease.

He rendered such splendid services that he was promoted to the rank of captain that year. While he was stationed at Brownsville, a young lady, Miss Marie Cook Doughty, came there to visit her sister, the wife of an Army officer. She was taken with yellow fever; her recovery was pronounced hopeless; her grave was dug; and Captain Gorgas had agreed to read the funeral services the next day. Instead of that he succeeded in saving her life and married her, and she was his constant companion and splendid helpmate from that time until his death, 35 years afterwards, and she lives here in the city of Washington at the present time. [Applause.]

At the outbreak of the Spanish-American War in 1898 he went to Cuba with our forces. He was promoted to the rank of major, and as the chief sanitary officer of Habana from 1898 to 1902 he made the first actual practical demonstration in the world of the eradication of yellow fever. Yellow fever met its master in Habana for the first time in history. To Gorgas belongs the credit of having originated and executed the methods for the extermination of the stegomyia.

For this distinguished service Congress promoted him to the rank of colonel in 1903, and he was appointed Assistant Surgeon General of the United States Army.

As before stated, in May, 1904, he was appointed chief sanitary officer of the Panama Canal Zone, and held that position 10 years, from before work was commenced until the canal was completed.

In 1907 he was appointed a member of the Panama Canal Commission; and in 1914 he was promoted to the position of Surgeon General of the Army, with rank of brigadier general.

His world-renowned work of wiping out yellow fever and malaria from the Isthmus of Panama and cleaning up the cities of Panama and Colon, exterminating the stegomyia mosquito, and reducing the death rate to less than it was in any State or city in the United States, and thereby, for the first time, making it the healthy place it has been ever since, and making it possible to build the canal, was the greatest and most far-reaching and important work of his life. That was the greatest triumph of his marvelous life.

For that unparalleled service to his country and to the world, Congress in 1915 gave him a vote of thanks and promoted him to the rank of major general.

On October 4, 1918, having reached the age limit of 65 years, he was retired from the Army.

From the time our country entered the World War, on April 6, 1917, until the armistice on November 11, 1918, as Surgeon General of the entire United States Army of over 4,000,000 men, he made the greatest record that has ever been made by such an officer in the world. He organized the greatest, best equipped, and most complete and efficient Medical Corps in all history. He had 35,000 officers and 250,000 enlisted personnel under his command, and built, furnished, and equipped sufficient hospitals in Europe and in the United States to properly care for 4,000,000 men.

For the first time in the history of our country, or any other country it is believed, he had the Medical Corps definitely and specifically specialized, so that all wounds, diseases, and complaints of every kind were treated by a thoroughly competent professional specialist in that line, and thereby reduced the death rate in our Army to below that of any other army in the war.

From the time of his great success in Habana, and especially after his world-famous achievements on the Isthmus of Panama, he was constantly appealed to by nearly every nation to come to them and exterminate the fever and malaria and redeem their stricken districts as he had in Habana and Panama.

From time to time, when he could get away for a short time, he obtained temporary leave of absence and went to Ecuador, Peru, Colombia, Brazil, Venezuela, South Africa, and other countries. After his retirement he was selected as the chief of the Rockefeller yellow-fever foundation, and was constantly eradicating disease-infected places in many countries.

He had the supreme gratification of his life's hope and ambition to eradicate yellow fever from practically the entire world, when at the invitation of the British Government, to investigate some yellow-fever conditions on the West Coast of Africa, he, on May 8, 1920, with his wife and personal staff, sailed for London for that purpose. He reached London safely, and went to Belgium and visited a few days with King Albert, who decorated him with a gold medal in recognition of his services to mankind, and then returned to London, where, on May 30, he had a slight paralytic stroke. He was taken to the Queen Alexandra Military Hospital. King George had before that made an appointment to see the general, and when the King learned of the general's illness, he said:

> If General Gorgas is too ill to come to the palace to see me, I shall go to the hospital to see him—

And he did so, and personally presented the general the Insignia of Knight Commander of the Most Distinguished Order of St. Michael and St. George. My understanding is this order of knighthood is the highest distinction that the King of England can confer upon anyone not a British subject.

On July 4, 1920, when throughout our country from Plymouth Rock to the Golden Gate we were proudly celebrating our national independence, in the serene Indian summer of life, at the meridian of his fame, the angel of death beckoned him, and his great soul passed to the great beyond.

King George ordered a formal state funeral in St. Paul's Cathedral, which was conducted with all the honors that could be given a victorious British major general, which is the highest honor that Britain could pay a distinguished American. A leading British periodical published the following description of the funeral:

> A riderless horse walked up Ludgate Hill the other day behind its sleeping master; and if a horse can feel and know what happens, its heart must have been breaking—unless there came to it new strength in the pride it felt in the sight of its master sleeping under the Stars and Stripes on his way to St. Pauls.
>
> For what was happening that day up Ludgate Hill was a rare and stirring thing. I looked down from the windows of the little house with green shutters in the very shadow of the dome, and I thought that here, indeed, was a public opinion of which our London and our country and all the entire world might well be proud. For here was no great Englishman, no great Briton, going to his rest; here was a ragged, barefoot boy of Baltimore being carried to St. Pauls after his life work was done.
>
> He had done for the world one of the greatest things that an American brain has ever done; he had made the Panama Canal after thousands of people had died in the attempt.
>
> Now, think how he began his life. This is what he told us:
>
> "I first came to Baltimore a ragged, barefoot little rebel, with empty pockets and empty stomach. My father had gone south with Lee's army. At the fall and destruction of Richmond my mother's house with all that she had was burned, leaving her stranded with six small children. She came to Baltimore and was cared for by friends. These memories are vivid with me and can never be effaced."
>
> And the other day he rode up Ludgate Hill, sleeping his last sleep on earth, wrapped in the Stars and Stripes. There were thousands of men and women and children standing still, there were hundreds of men in khaki passing by, there were ambassadors and other great people, and the lonely woman who was on her way with her hero to conquer disease in Peru when death took him from her. And there was the riderless horse.
>
> All these came up Ludgate Hill, and as the sun poured down on this ancient way, our hearts and ears throbbing with the solemn music of the dead march, we knew that we were looking on the passing of a man whose name would shine for ages in the history of our race.
>
> It seemed good that death should find him here, for so there came our opportunity to do a great man honor. He passed through the great door through which the sun streams into the nave of St. Pauls, and there he lay with Nelson and Wellington and all that mighty host who came this way and passed into the universe.
>
> They will take him to his own land, but in truth he belongs to us all. He was one of life's great helpers, for he cleaned up foul places and made them sweet, and now, as they said of Lincoln, "he belongs to the ages."

The general's remains were brought home on an American transport; the body lay in state for four days in Washington, when it was buried with the highest military honors on one of the most beautiful slopes of Arlington—the Westminster Abbey of America's heroic military dead—overlooking the Capital of the great Nation he loved and served so well.

HIS CHARACTER AND FAME

No words are sufficiently eloquent to do justice to the name and fame of General Gorgas. I knew him for 11 years, not intimately, but fairly well. I had brief visits with him on each of several trips to the zone when the canal was in the course of construction, and a number of times afterwards in Washington. It was a rare privilege to know him and a genuine delight to converse with him. There is nothing that I can say about him that has not been frequently and more eloquently said by others.

He was the most modest and mildest mannered great man I have ever known. He had the engaging simplicity of the truly great. He was quiet and unaffected, and always a courteous and princely gentleman of the old school. His kindly and gracious manner, his invariably courteous and considerate treatment of all, endeared him to everyone. No one could resist being attracted by the pleasing magnetism of his wonderful personality. He was of a retiring disposition, and his sincerity and honesty of purpose inspired universal admiration and confidence.

While his manners were always gracious and dignified, there was always an individual suavity and a kindly smile. He personified and shed around him a light of good will, kindness, fellow feeling, warm-heartedness, and the graciousness and charming simplicity of a true man and a perfect gentleman. A nobler man than whom never lived. He was transparently honest.

While he was the supreme head, the Surgeon General, and chief commander of the 35,000 officers and the 250,000 enlisted personnel under his command in the Medical Corps of the American Army during the World War, he did not depend so much upon giving orders as upon tactfully obtaining hearty and enthusiastic cooperation. He was gentleness, fondness, and poise personified. Yet underneath was the fixed determination of a man who was sure of himself. He had a firm but gentle hand. He had a genial and unaffected love for his fellow man, and he was the most beloved medical officer in the United States Army.

Those truly noble traits were the secret of his marvelous success and the affection that all had for him. He was indeed a servant of mankind and a benefactor of humanity. He was a citizen of the empire of humanity and of the kingdom of man. Napoleon sold the great Louisiana Territory to our country for a song because his army had been annihilated at Santo Domingo by yellow fever.

The name of Gorgas will go down in all history as the man who stamped out of the civilized world forever that horrible

disease. He has freed countless millions from suffering and premature death. He made this world safer for his fellow man. The entire world is much richer and happier because he lived and labored. Historians may differ as to what man has caused the most deaths in the world, but they will never differ as to who has saved the most lives. [Applause.]

In my judgment, our country has produced probably only five names that will go down in history and be revered as long as the human race inhabits this planet. Those great names are George Washington, Thomas Jefferson, Abraham Lincoln, William C. Gorgas, and Thomas A. Edison.

The name of each of them throughout the world will always be an inspiration, a symbol of genius, generosity, and service to humanity.

General Gorgas was America's ambassador of mercy to the whole world. He was America's most distinguished citizen and the world's greatest physician. His field was the human race on this planet. He enriched science and life, and countless posterity will call his name blessed.

His greatest service to humanity was rendered on the Isthmus of Panama, and that is and should be his memorial and his monument for all time.

He was the greatest benefactor the suffering world has ever had. He filled the world with admiration for his unparalleled genius and service to humanity. He belonged to and honored the United States of America. But his fame and his life work now belong to the entire human race. Every nation in the world is proud of him, and nearly all of them have honored him in some way. He not only served his country and his generation nobly and grandly, but the billions of human beings yet unborn will forever owe him an everlasting debt of gratitude. He was the greatest sanitarian the world has ever produced. He was the economic savior of Cuba and the redeemer of the Tropics.

His work and his fame are destined to grow with the years. His life is a glory that stands apart, unrivaled and unapproached. The inspiration of his example extends to the uttermost ends of the earth.

He laid down his life for all humanity—that throughout all the ages the human race might be the legatee, the beneficiary of his genius, his character, and his life work.

He was an honor to our beloved country and to the human race. Fame herself has placed the laurel upon his immortal brow, and as long as time shall carry the record of human achievements every nation on this planet will proudly pay tribute to the memory of William Crawford Gorgas. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. McSWEENEY].

Mr. McSWEENEY. Mr. Chairman and gentlemen of the committee, I have asked for just a few minutes to express to the House my profound grief at the death of our good friend, Mr. Edgar Wallace, who as you all know was the legislative representative of the American Federation of Labor. When I first came to Congress Mr. Wallace often came to my office, as he continued to do until his death. I talked with him frequently and found that he was not a propagandist, but a man trying to give to me and to other people information along the line of the work he was interested in. I heard several little things from him as to his youth. I asked him to give me some incidents of his boyhood and young manhood. I found that he was born in England, and that when a lad of 11 years of age he worked in the coal mines of Cornwall. He used to lie on his side on the damp floor of the mine and pick with his pick against the black wall and get the coal out and push it down with his feet so that the men could gather it and put it in the cars. His industry and effort led him to come to America. Here he affiliated himself with the workers of this country, and his great sincerity of purpose and his highmindedness and everything that goes to make a conscientious and honest worker gained for him recognition in this great organization, the Federation of Labor, and the intrepid leader of that great organization, Mr. Gompers, made him its legislative representative. Those of you who have had contact with him know that he was ardent, sincere, and supremely honest in everything that he undertook to do for his people. Coming down here and living in Washington did not cause him to forget the hardships of his own youth nor those his colleagues are undergoing who are now members of that great organization. He was always mindful of them. I took an added interest in him, because I was a member of the Committee on Agriculture and he came before that committee four years ago. He said that America could not have a lop-sided prosperity, that the laborers in other fields of industry would suffer if the dollar earned upon the farm was not given its just purchasing power. He came back to our committee, not in an "I told you so" manner, a few days ago and said that his prophecy of four years ago had come true, that the laborers had suffered because a third of the population of America had been cut down in their power to purchase the commodities made by the hands of his colleagues in other lines of endeavor. He was willing to have the farmer aided, even if it resulted in a slight increase in the cost of the things which his fellow laborers had to purchase.

I know that the federation can find among their numbers a worthy successor who will honestly and in a broad-minded way present the cause of the federation.

Hamlet, when leaving this life, said, "I die, thou livest; report me and my cause aright to the unsatisfied." I say to you, Edgar Wallace died; we live. Let us always struggle to report him and his cause aright to the unsatisfied.

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

Mr. BUCHANAN. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I do not intend to make a tariff speech this afternoon, although that seems to be the order of the day. However, in view of the speech that was made by the genial gentleman from Michigan [Mr. KETCHAM] a few days ago relative to the present tariff law being so beneficial to the farmers of the country, I thought it might be well to make a few observations at this time. I suppose when the gentleman made his speech he was thinking of what was said in the press throughout the country at the time the Fordney-McCumber tariff bill was under consideration, and I think about the time it was passed. I was not in Congress at that time, as I had accepted an invitation from my constituents to come back and visit with them for a couple of years. Therefore, in the language of Will Rogers, I saw it in the press. The report at that time was that the agricultural schedule of the Fordney-McCumber Tariff Act was so framed that it would add anywhere from $250,000,000 to $300,000,000 annually to the income of the agriculturists of the country. This law has been in operation since September, 1922, or five and a half years.

So, if that statement—that it would add anywhere from $250,000,000 to $300,000,000 to the income of agriculture—was true, it seems to me it should have added at this time at least $1,500,000,000 to the income of agriculture.

It may be that the agriculturists of Michigan are receiving their proportion of that $1,500,000,000; but I am quite sure that the agriculturists of the State of Kansas have not received their share, at least I have had no such notice to that effect.

Now, among other things, he said this:

> Now, to sum it all up, my good friends, I trust the logic, the cold logic of these figures, that are impersonal and have nothing of a political flavor in them whatsoever, may speak the cold, hard truth, and I hope they will be consulted by the next one of my good Democratic friends who wants to rise up here and declare that the Fordney-McCumber Act has been responsible for the ills of the farmer.

He says further:

> Putting it now in a final word and in the terms that the farmer himself usually uses, his commodity dollar—in other words, the amount of his commodities that he would have to exchange for commodities of other kinds that he buys, according to the old plan of trade and barter—his commodity dollar was a 70-cent dollar in October, 1922, and in October last it was a 92-cent dollar, or an increase in the relative purchasing power of the farmer's commodity of 32 per cent since 1922.

I do not know just how he arrives at these figures; but I was interested in that statement and asked him to yield, and wanted to ask him some questions; but, of course, he was limited as to time, just as I am this afternoon. But I recollect having written to the Secretary of Agriculture after I came back to Congress and asked him regarding the purchasing power of the farmer's dollar. I have a statement from former Secretary Wallace, who was Secretary of Agriculture at that time, and also a statement from the present Secretary of Agriculture, Mr. Jardine. I asked that the purchasing power of the farmer's dollar be given from the year 1913 up to the year 1925, and here is what the two Secretaries of Agriculture gave me:

	Cents
1913	100
1914	105
1915	103
1916	97
1917	107
1918	112
1919	112
1920	96
1921	84
1922	89
1923	61.3
1924	62.4
1925	60.3

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

Mr. AYRES. Not now, if the gentleman please. I am going to make a more elaborate speech on the tariff later on.

Mr. MADDEN. The gentleman is relying on somebody's statement in regard to these figures, is he not?

Mr. AYRES. I simply relied upon the gentlemen whose duty it is to collect those statistics and report what the purchasing power of the farmer's dollar may be. I called upon the Agricultural Department a few days ago and told them I wanted the latest figures, and in reply I received data showing that in 1926 it was 62 cents and in 1927 it was 66 cents.

I am relying upon the statements of the Secretaries of Agriculture on this matter.

Now, if the farmers of the country are so well satisfied with the Fordney-McCumber Act, I should like to know why it is at this session of Congress 61 bills have been introduced to amend the present tariff law; 61 bills. I have them all here, and I want to say that of those 61, 36 of them were introduced by Republicans and 25 by Democrats. I am not going to call attention to all these bills, but I want to call attention to a few of them.

At the beginning of this session of Congress, on the 5th of December, Mr. FRENCH, of Idaho, who is a conservative man, introduced a bill wherein he asked for an increase of tariff rates on such farm products as eggs. On the same day he introduced another bill in which he asked for an increased tariff on butter. He also introduced another bill on the same day asking for an increase of duty on all grass seeds, such as alfalfa and clover seed. Then he introduced still another bill wherein he asked for an increase of the duty on such farm products as peas, both dried and green, and on the same day still another bill in which he asked for an increase of the tariff on onions.

And then Congressman LAMPERT, from the State of Wisconsin, and others from the Northwest country, on the same day introduced a bill asking for a tariff on calf and veal leather. Then the gentleman from Colorado [Mr. TAYLOR] introduced a bill wherein he asked that hides be taken off the free list and put on the protected list. The gentleman from Indiana [Mr. HOGG] introduced a bill wherein he asked that the tariff rate be increased on onions. Then we have another Republican from the northwest country, Wisconsin [Mr. SCHAFER], who introduced a bill asking that calfskins and veal leather be put on the protected list, and then the gentleman from Minnesota [Mr. SELVIG] asked for an increase of the tariff rates on turnips, milk, butter, cheese, poultry, eggs, buckwheat, and a number of other farm products.

Then Representative GOODWIN, from the State of Minnesota, a Republican, asked that the tariff be increased on sago flour. Also, he introduced another bill at that time asking that the tariff be increased on tapioca and tapioca flour. He also introduced another asking that the tariff be increased on Irish potatoes. Then the gentleman from Wisconsin, Mr. LAMPERT, introduced another bill asking that the tariff be increased on peas. Then we have another Republican, the gentleman from the State of Texas, Mr. WURZBACH, and he asked that the tariff be increased on onions. Then we have a Democrat from Montana asking that the tariff be increased upon several farm products.

Mr. MADDEN. Why does not the gentleman give his name?

Mr. AYRES. Then we have last, but not least, the chairman of this subcommittee, Mr. DICKINSON of Iowa. He asked that the tariff be increased on not less than 15 or 20 products which are produced by the farmer, including such articles as corn, and he asked that cattle hides be placed upon the protected list; he asked that the tariff be increased on swine, on raw meats, extracts of meats, and various and sundry articles. Then we have Mr. WURZBACH introducing another bill asking that the tariff be increased on several articles, such as tomatoes, onions, and various articles produced by farmers. Then we have the gentleman from Iowa [Mr. COLE], who spoke this afternoon and said he was satisfied with the tariff on the whole—I do not know what he meant by that statement when I read the bill he has introduced wherein he is asking that the tariff be increased on certain farm commodities. I might go on and on, but time will not permit. As I say, there have been 61 tariff bills introduced at this session of Congress asking for a change in the present law.

Mr. MADDEN. Why did not the gentleman read the names of Democrats who have introduced bills?

Mr. AYRES. I am perfectly willing to read them. We have so far, I think, eight Democratic bills, including one introduced by myself, where they have asked for an increase of the tariff on farm commodities.

Mr. MADDEN. I notice the gentleman was very careful not to read the names of Democrats.

Mr. AYRES. No; I beg the gentleman's pardon. I called his attention in the first place to the fact that there were 25 bills introduced by Democrats and 36 by Republicans. I am perfectly willing to say to the gentleman that I introduced a bill myself to raise the tariff on farm products but at the same time to reduce it on manufactured products which, I think, is the only way by which you can bring about an equality, as far as the tariff is concerned, between manufactured articles and farm products.

Now, last but not least is the gentleman from Michigan, [Mr. KETCHAM], who has introduced a bill which is called the debenture plan. This is what he said in the RECORD, or, at least, he is responsible for this statement because he asked for leave to extend his remarks and said he had had this statement concerning the debenture plan prepared. In that statement it is said:

> Since the inequalities resulting from the tariff system are one of the sources of difficulty, the logical and sensible thing to do is to apply the remedy at that point.

Further:

> Opponents of the export debenture plan usually base their opposition on the plea that it is a subsidy. The plan is no more a subsidy than is the protective tariff.

Then it goes on to say:

> The farmer is asking merely that there be applied to his problem some of the same spirit of tariff adjustment and modification as is already being used to accommodate industry and capital.

Evidently when the gentleman from Michigan was stating the object of the debenture plan he was not as favorably inclined to the present tariff as he seemed to be when he spoke the other day.

So I could go on if I had the time and call attention to many more of the same kind of speeches that have been made by Republican Congressmen as well as some Democratic Congressmen, representing agricultural districts, showing that they are not satisfied with the present tariff. Notwithstanding that fact when the McMaster resolution, which called for a tariff revision during the present session of Congress, was up before the House for consideration a few days ago I am inclined to think the RECORD will show that practically all of the Representatives from the agricultural districts of the West and Northwest voted to table that resolution and not consider it. There were a few exceptions. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. BLACK].

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, sincerity from a candidate is a rarity. Hoover, who has done such unusual things as turning from internationalist to American, from Democrat to Republican, from mining engineer to political mechanic, from loud speaker to muffler, has proven sincere as a candidate. He announced that he would follow the Coolidge policies and proved as good as his word by straddling on major problems. He tried to follow Coolidge and he got his trigonometry all tangled up and now he is just another good man gone wrong. He slipped into the Ohio primaries, got his geography all mixed up, went to Florida by mistake, and came back to Washington to start all over again.

But he must have fallen off a horse and got bitten by a fox in his early days hunting in merry England. He calls prohibition a great social experiment and that satisfies the Women's Christian Temperance Union and flaming youth. He says it is a great economic experiment and that satisfies the bootlegger and the professional panhandling dry.

On flood relief he is a bit hazy. He remembers there was a flood, whether it was on the Rhine or the Thames he is not quite sure. Something ought to be done about it. It was good first-page stuff once.

But we should not expect too much of Herbert—he has been hanging around these Republicans eight years and they have been just hanging around. They took one chance. They gave away the naval oil reserves and they got all messed up. So since then they have done nothing at all. [Laughter and applause.]

Herbert himself has been active—if being vocal is being active. If Great Britain ever sees his mimeograph fleet they will want a 5-5-3 ratio on press releases. He has been a sort of combination comptometer, printing press, and radio. He has issued as many statements as a distinguished interrogating Senator and they mean just as much. Howling Herbert is the antithesis of Silent Cal. Every time a cow had a calf the Department of Commerce, alias Hoover, took credit. The responsible bull had to let the political bull christen the youngster. [Laughter.]

Every bulletin from the Department of Commerce was longer than a presidential message—and just as eventful. He has used

up more paper than Wilbur's paper Navy. He was the fellow who played the bass drum and the other doodads in the White House orchestra.

He is qualified, though. He was a sort of substitute President. When Coolidge would get tired doing nothing, Herbert would do it for him. Every time Kellogg had a nervous breakdown, Herbert was a sort of head keeper. When Jim Davis could not settle the coal troubles, Herbert gave him an alibi by proving that even the great god Hoover could not do it. When Jardine got annoyed at the American farmers, Hoover made faces at the British planters. When Wilbur could not put the country to sleep with bedtime stories, Herbert made a speech. He has not always been successful as a kibitzer. When he went over to run the Treasury he backed out before Uncle Andy as if he were leaving his old playmate, King George. He backed out, though, for another reason. Mellon, of course, never kicked the high tambourine like Wilbur, but Herbert was taking no chances.

Of course, Herbert, formerly of Red House, Hornton Street, London, would make a great President. We would be the most efficient unit in the British Commonwealth of Nations. We, in parliament, would have to get satin-knee breeches and silk stockings; also a supply of sawdust for padding the lower limbs. The house of lords at the other end of the Capitol would have to wear those trick wigs of the king's bench. The Democrats would wear white ones, the Republicans blue, and the Northwest group red. BORAH would have all three wigs for lightning-change purposes. Big Bill Thompson would have a blooming governor general over him in the province of Chicago.

My friend TILLMAN the other day in speaking of Hoover had something to say of Mark Antony. But TILLMAN lives too far from Broadway to realize the full dramatic possibilities of his idea, so I would whisper to Julius Cæsar Hoover as he goes forth with all gall—

Yon Cassius Calvin hath a lean and hungry look. Take care, Herbert, old dear, that you are not stabbed in the back with a flapjack. Cheerio!

[Laughter and applause.]

Mr. SANDLIN. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and Members of the House, I again desire to invite your attention to the toll-bridge situation. It is my humble opinion that unless the Congress takes some action the people of the country will be in the clutches of another monster, this time a toll-bridge trust. The possibilities of a toll-bridge trust are far from being remote, and I feel I am in a position to-day to disclose facts which warrant this statement.

Members will recall I recently addressed the House on the subject of toll bridges, at which time I stated that in certain cases bonds and other securities issued in connection with the construction of toll bridges were beyond the control of the blue-sky departments of the various States. After talking with bridge contractors, as well as investment bankers, I again assert, in some cases the blue-sky officials have no control over these securities.

My contention is, the Congress in granting consent for the construction of these bridges protects the city, county, or State by the recapture clause, but you do not extend any protection whatsoever to the purchaser of the securities because you wait until after the bridge is constructed before you require the promoter to file a statement of cost. I feel, as it is the Congress that makes the project possible, the Congress should in some way—and I care not how—demand that before the plans and specifications are approved a limitation be placed in keeping with the actual cost of construction, financing, and so forth, plus 10 per cent, on the securities that can be issued.

I proposed to read to the House an article from one of the great newspapers of the United States, the St. Louis Post-Dispatch. I was astonished when I read this article, and I feel you will likewise be astonished. In large type the headlines read:

BRIDGE PROMOTER FOSTERS SCHEMES FOR 33 PROJECTS—TOLL SITES IN CARONDELET DISTRICT AND AT END OF OLIVE STREET ROAD AMONG AGENT'S PLANS—DENIES COMPANY WILL SELL STOCK—EUGENE M. ELLIOTT, OF CHICAGO, SAYS HE IS EMPLOYED TO FIND LOCATIONS FOR STRUCTURES OVER UNITED STATES

The article follows:

A promoter, employed by a large New York financial and engineering firm to locate highway toll-bridge sites and obtain local and congressional franchises for constructing them, is fostering the projects now pending for a bridge over the Mississippi in the Carondelet district and one over the Missouri at the end of Olive Street Road for a short cut to the Kansas City Road.

He is fostering also the projects for other toll bridges—at Hermann, Arrow Rock, and near Independence, Mo., over the Missouri, and at Golconda, Ill., and Augusta, Ky. (near Cincinnati), over the Ohio. In all, he has about 33 toll-bridge schemes scattered about the country. Of these, he says, his principals definitely plan now to proceed with construction of 16, including the Olive Street Road crossing, near Chesterfield; the one at Hermann and the one near Independence, at Liberty Landing. He declines to state where others are located or to enlarge on the financial and physical plans of any of the proposed structures.

WORKS FOR NEW YORK FIRM

The promoter, known in various parts of the country as a "high-pressure salesman," is Eugene M. Elliott, of Chicago, operating a firm of nominal capitalization, E. M. Elliott & Associates (Inc.). He is acting in behalf of J. G. White & Co., of New York. Elliott says he is under contract with this concern to locate sites and arrange franchises for a fixed compensation.

In addition, Elliott points out, he has the opportunity to profit personally in speculation on real estate near bridgeheads. He would not say whether he was indulging in such speculation in the St. Louis district. All franchises, including those already obtained by him from the St. Louis and St. Charles County courts are assigned to White & Co., Elliott says. White & Co. will arrange the financing of the various projects through bonds and debentures, Elliott explains, but will not offer stock for sale. In keeping with terms of the congressional grants, he adds, all promotion and financing costs, including his compensation, will be limited to 10 per cent of construction cost.

Whether any of his compensation will come in securities of bridge companies, Elliott will not say. He does not plan to handle sale of any securities, and he is not licensed in Illinois or Missouri to do so.

LOCATES CHESTERFIELD SITE

Several months ago Elliott located the proposed Chesterfield bridge. After the St. Louis County court granted a franchise for it, and while similar application was pending in the St. Charles County court, a newspaper item about desire of citizens for the Carondelet bridge attracted Elliott, and a representative of his got in touch with Stewart D. Flanagan, a lawyer, president of the Carondelet Improvement Association.

A week ago last night Elliott, visiting St. Louis, addressed that association, which then voted to authorize Flanagan to help the project in any way he could and to arrange for messages to Congressman NIEDRINGHAUS in favor of the congressional franchise. Citizens of Dupo, Ill., also eager for this bridge, attended the meeting. Bills for congressional franchises for the Carondelet and Chesterfield bridges are pending in committee.

At the association meeting Elliott declared a subsidiary of his employer, the J. G. White Engineering Corporation, was studying traffic potentialities of the Carondelet crossing and physical features. He expressed the opinion that this bridge would be built and would pay for itself in a comparatively short time. If it isn't built, he asserted, the franchise will be returned.

TO FORM LOCAL COMPANY

Supposing the bridge costs $3,000,000, Elliott told the gathering, $2,000,000 of the money will be raised through White & Co.'s banking connections and the remainder will be covered by White & Co. Of the income from tolls, he declared, 92½ per cent will be devoted to paying off the funded debt, leaving the balance for profits. A local company will be formed, he said. In a subsequent interview with a Post-Dispatch reporter, Elliott declined to make any further explanation of the financial set-up contemplated. He indicated similar arrangements would be made in the other bridge projects.

Two weeks ago, after delaying for a time in an effort to get a guarantee from Elliott that the Chesterfield bridge would be built, the St. Charles County court granted a franchise there.

Franchises for the toll bridges at Hermann, Arrow Rock, and Liberty Landing, Mo., and Golconda, Ill., have been passed by one House of Congress and are pending in the other. Most of the stock of the Centennial Bridge Co., which has the Liberty Landing franchise, is held in the name of Elliott. At Independence it was stated this company plans to finance itself by preferred stock and bonds sold to the public through banking houses. The Golconda franchise is in the name of Mayor Charles Abbott, of Golconda, who was assured through correspondence of the backing of White & Co.

BETTER BUSINESS BUREAU REPORT

The Chicago Better Business Bureau reported, after an interview with Elliott last summer, that his firm, besides obtaining bridge franchises, had the purpose of forming operating corporations, placing bonds, accepting bids, and supervising engineering, taking as remuneration shares of stock in the companies formed and commissions from construction companies.

Elliott went to Florida in 1922 and became securities sales manager of the firm that built a 6-mile bridge over the bay between Tampa and St. Petersburg. He was successful in this. He bought 27,000 acres of land at the St. Petersburg end and made large personal profits in its sale, as the bridge increased its value. In connection with this business, the Federal Government attached some of his property under a $503,238 claim for income taxes and fines, although Elliott contended his profits then were paper only. Eventually he settled for $122,932.

Elliott, who says he is worth $800,000 to $1,000,000 now, owning a yacht, a St. Petersburg estate, and a Rolls-Royce, has one or two small judgments against him in Chicago, which, he states, "I am paying off as fast as I can."

I have asked the chairman of the bridge committee not to call up any additional bills in which Elliott and associates are interested until I complete my investigation. He has assured me he will not do so. If any bills where the consent to construct is vested in ELLIOTT and his associates are called up I will be compelled to object.

Mr. DENISON. Will the gentleman yield there?

Mr. COCHRAN of Missouri. Yes.

Mr. DENISON. I do not want to be misunderstood about the matter. I understood the gentleman to ask me not to bring up any bills until the next consent day, which I am not going to do, of course.

Mr. COCHRAN of Missouri. Then we misunderstand each other. I want to say that if the gentleman calls up any of these bills before I complete my investigation, I will be compelled to object to them.

Mr. DENISON. Let me keep the gentleman from Missouri straight about the matter. I merely call up these bills as chairman of the subcommittee as a matter of convenience for the Members who introduce them. They come up on consent day, and on the next consent day these bills will come up naturally in their order just as other bills on the Consent Calendar, and I merely told the gentleman from Missouri I did not have any purpose of calling up any bridge bills until the regular consent day.

Mr. COCHRAN of Missouri. I fully understand and I did not mean to convey the impression that the gentleman was calling up these bills for any individuals.

The day following the same paper carried this editorial:

THE TOLL-BRIDGE GAME

The toll road—that relic of ancient times—is practically extinct in the United States, but it looks as though the toll bridge is just coming into its own. Eugene M. Elliott, a high-powered salesman from Chicago, plans to introduce the toll bridge on a grand scale in and around St. Louis. He has various projects in the fire—one over the Mississippi at Carondelet, one over the Missouri at the end of Olive Street road, others at Hermann and Arrow Rock, not to mention projects at more remote localities. It is Mr. Elliott's business to plaster toll bridges upon the populace wherever he can, and it appears he is about to do a thriving business hereabouts.

Mr. Elliott represents J. G. White Co., a huge public utility corporation of New York, which will finance the projects. It is said that not more than 10 per cent of the construction costs will go for promotion and financing. Mr. Elliott gets his cut from this 10 per cent, besides what he can pick up by speculating in lands in proximity to the bridges. Of the income from tolls after the bridges are built, 92½ per cent will go to pay off the funded debt, leaving the rest for profits. Of course, the major part of the financing will be accomplished by selling bonds to the public.

In other words, the public holds the bag. It buys the bonds, putting up money for construction. It also pays tolls to work off the bonds. Eugene M. Elliott and J. G. White Co. jointly furnish the brains and jointly rake in the profits. While we believe thoroughly in rewards for brains and enterprise, we fail to see why the public should let Mr. Elliott and the White company enrich themselves at its expense. The public can build these bridges itself without paying promotion fees and profits to professional organizers.

Painfully and laboriously the public is buying St. Charles Bridge from its private owners. How much better and cheaper it would have been for the State to build this bridge itself! Are we to have a recurrence of this nuisance at Carondelet and at the end of the Olive Street road? Not if public leadership asserts itself and shows some business acumen.

The St. Louis Globe Democrat, another great newspaper, carried the following editorial during the week, which shows where some cities in Missouri are now purchasing old toll bridges. The editorial is as follows:

TEARING DOWN RIVER BARRIERS

Jefferson City business men have about completed organization of a company of civic groups for the commendable purpose of tearing down another toll barrier across the Missouri River. This organization, headed by Mayor C. W. Thomas, has plans for taking over the highway bridge connecting Cole and Callaway Counties at Jefferson City and, in capacity of a holding company, applying the toll proceeds to the discharge of the purchase price, releasing the paid-for structure to the State as soon as earnings have repaid the investment. Thus, with the same plan that is being worked out by a holding company organized in St. Louis and St. Charles County for the purchase of the St. Charles Highway Bridge, the last toll bridge across the Missouri River in the State will be made free.

Under this program at Jefferson City the crossing there will be free of purchase debt in from five to seven years, or almost as soon if not as soon as the St. Charles crossing is open for the public without fee. Within the last few months tolls were lifted from a Missouri River bridge at Kansas City under a Jackson-Clay County bond issue and St. Joseph has voted funds for a free bridge across the river at that point. In the last few years Federal-aid bridges have been built under the McCullough-Morgan law at Waverly, Lexington, Glasgow, and Boonville. Few States bisected by a great stream to compare with the Missouri are so well situated with reference to open passage from one section to the other. Jefferson City is to be specially congratulated by citizens of the State for making the movement unanimous.

But as communities are moving to tear down toll barriers to free passage other movements are on foot for the construction of other toll bridges across the stream in the State. These, of course, are ventures of private capital and the promoters must see potential demand for such structures to offer their money in the undertakings. There can be no objection to such enterprises. But communities so favored can not but anticipate the time when public use will put these proposed bridges, too, on the scales of demand and place them up for public purchase through toll earnings. So the public has a right to view with interest matters of financing and totals of investment they will some day be called upon to assume.

I submit this statement from a great newspaper showing where one individual admits he is promoting 33 projects, some in his own name, some in the names of others, and where he says all such grants are finally assigned to one corporation, warrants the expression that the public is liable to be in the hands of a toll-bridge trust.

I have considerable information regarding the financing of toll bridges, but I want to be fair and not make any statement I can not support with facts.

For the time being I will refer to one project, because that project is mentioned in the article I just read. It is the so-called Gandy Bridge in Florida between Tampa and St. Petersburg. I am still investigating this matter, but I am in a position to disclose now the actual cost of construction of this bridge was $2,100,000. The financing, promotion, and overhead was given at $2,400,000, or 125 per cent above the cost of construction. Bonds and other securities have been issued in connection with this project amounting to $4,900,000. The authority for this statement is the railroad commission of the State of Florida.

Mr. CANNON. Will the gentleman yield?

Mr. COCHRAN of Missouri. I yield to the gentleman.

Mr. CANNON. I notice in the clipping which the gentleman includes in his remarks, or which I presume the gentleman will include in his remarks, that reference is made to the proposed bridge at Hermann, Mo., which was authorized under a bill which I introduced and which recently passed both the House and the Senate. Is it the gentleman's understanding that any one man who is not a resident of Hermann or of the adjoining counties had anything to do with promoting the proposition to authorize the construction of bridges at Hermann, Mo., or Washington, Mo.?

Mr. COCHRAN of Missouri. The only reply I can give to the gentleman is that I read that from an article in a most responsible newspaper—the St. Louis Post-Dispatch. I have not verified the statement, but the St. Louis Post-Dispatch quotes Mr. Elliott himself as saying that the Hermann bridge is one of the projects that is going to be finished.

Mr. CANNON. Does it say that Mr. Elliott had anything whatever to do with securing the introduction or passage of these bills in the House?

Mr. COCHRAN of Missouri. No; nothing whatever.

Mr. CANNON. The only connection, then, according to the gentleman's statement, that Mr. Elliott has with the legislation relating to these bridges is to be had after the authorization is secured.

Mr. COCHRAN of Missouri. So far as I am concerned; yes, sir.

Mr. CANNON. The relations, then, of Mr. Elliott are not with any Member of the House but with the communities to be benefited by these bridges at Hermann and Washington, Mo.

Mr. COCHRAN of Missouri. I have no information whatsoever about that.

The article discloses Mr. Elliott profited by reason of this project. He was the securities sales manager, so the report of

the Better Business Bureau says. If the Congress will order an investigation of all toll-bridge projects to be conducted jointly by the Chief of Engineers of the War Department and the Bureau of Public Roads of the Department of Agriculture, we will get the facts. I am informed such an investigation can be conducted at a reasonable cost, and can be completed in three months. I can tell you now the Bureau of Public Roads has attempted to get at the bottom of some of the projects, but has been denied the information asked for by the promoters. The fact that information has been denied should be sufficient to warrant the Congress to act.

I am informed by Government officials in some instances approaches connect with the Federal-aid road, which I understand is a violation of the law. If this be true it means an individual or corporation charges a toll for the citizen to reach the public highway.

The gentleman from Illinois [Mr. DENISON] has introduced a bill—H. R. 11485. It was only a few minutes ago that I secured a copy. While it appears to be an improvement over existing law, in my examination I failed to find where it affords any protection to the purchasers of the securities prior to the construction of the bridge.

Next year practically all the State legislatures will convene. I sincerely hope the States will see the wisdom of having their State highway departments erect toll bridges, sell bonds, create sinking funds, and after the operating expenses are paid place the balance in sinking funds to be used to pay the interest and retire the bonds so that the bridge will finally pay for itself and then be opened to the public free of tolls.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The control of time is in the gentleman from Iowa and the gentleman from Texas.

Mr. DICKINSON of Iowa. Mr. Chairman, I will yield the gentleman three minutes.

Mr. CANNON. Mr. Chairman, I always listen with interest to anything that my colleague has to say either on the floor or elsewhere. He is one of the most valuable Members of the House. But in this instance he appears to be laboring under a slight misapprehension—in one respect, at least. He vouches for newspaper statements, which he quotes, to the effect that Eugene M. Elliott, of Chicago, has been employed to "obtain congressional franchises" for a number of bridges, and that he is "fostering schemes" for bridges at Hermann, Mo., and elsewhere; and the gentleman proposes that Congress order an investigation.

I introduced companion bills authorizing bridges at both Hermann and Washington, Mo., and the man referred to had nothing whatever to do either with the inception and introduction of the bills or with their passage through the House and Senate. That is conclusively proven by the fact that both bills were introduced in the Sixty-ninth Congress and passed the House before he ever heard of Hermann or Hermann ever heard of him. No promoter, broker, or lobbyist has approached me on the subject either before or after the introduction of the bills authorizing the construction of these two bridges or the bridge across the Mississippi at Louisiana, which was authorized in the same Congress and which will be opened for traffic this month.

As a matter of fact, the bill for the bridge at Hermann was introduced at the request of the commercial club of that city and was indorsed by practically every business and professional man of the community including Hon. R. A. Breuer, judge of the thirty-second judicial district of Missouri; Hon. Charles A. Egley, mayor of Hermann; Judge H. L. S. Stolte, probate judge of Gasconade County; and R. W. Hilte and O. H. Nienhueser, president and secretary, respectively, of the local chamber of commerce and others.

These men or their representatives, I understand, after canvassing a number of propositions, have entered into negotiations with Elliott for the construction of the bridge, but he had nothing whatever to do with legislation granting the franchise. The business men of Louisiana arranged with Compton & Co. to finance their bridge and the citizens of Washington with still another company. Each community after arranging for legislation authorizing construction of their bridge proceeded to make provision independently for its construction and each of the three happened to select a different firm. The suggestion that promoters fostered these three bridges or any one of them or arranged with me for legislation authorizing them is wholly beside the facts. All three bills were introduced and had passed the House in the Sixty-ninth long before even preliminary negotiations had been taken up for their financing or construction.

Now, with the proposal that the State or Federal Government build these bridges I am in heartiest accord. I do not favor toll bridges except as a last resort. But I certainly prefer a toll bridge to no bridge at all. If the gentleman had stood on the banks of these rivers as I have for hours waiting for the ferry or had reached the river too late for the last ferry and been compelled to remain all night he would be glad to pay a bridge toll—especially when such toll is invariably much less than the toll charged by the ferry. In addition to its inconvenience ferriage is attended by some little danger. Only recently an automobile on a ferry crossing the river in my district rolled off the boat and was lost with all occupants. And of course, in winter, when the river is filled with ice, crossing even on a ferry is out of the question. If the gentlemen who are so solicitous about these bridge tolls will consult those who expect to pay them they will find that the prospective patrons are more than anxious for the opportunity to pay the toll and escape the delay, inconvenience and danger and cost of ferriage to which they are subject under present conditions.

There are no public funds available for the construction of these bridges. The local communities have taken up that question with the Missouri State Highway Commission, and I have taken it up with the commission myself; and the commission which has the allocation of all State and Federal highway funds invariably replies that no money is available for such bridges or will be available for many years to come. Furthermore, the Missouri State Highway Commission has written to me officially, indorsing the construction of these bridges by private enterprise. I agree with the gentleman in his advocacy of free bridges, but where it is a choice between a toll bridge and no bridge at all, as it is in this instance, I will take the toll bridge and pay the toll gladly, and every citizen of the communities to be served by these bridges takes that point of view.

I join the gentleman in the hope that the State will see the wisdom of having the highway commission erect such bridges and maintain them toll free, but until it does so erect them let us authorize the communities which need them to build them with private capital under the ample safeguards provided by these bills.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKINSON of Iowa. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11577, the Agricultural appropriation bill, and had come to no resolution thereon.

COMMITTEE ON WAR CLAIMS

Mr. STRONG of Kansas. Mr. Speaker, by direction of the War Claims Committee, I ask unanimous consent that that committee may be authorized to sit during sessions of the House for 30 days, and that is to include the four subcommittees.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the Committee on War Claims and the subcommittees be authorized to sit during the sessions of the House for 30 days. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman from Kansas did me the courtesy to speak to me about this a few minutes ago. I understand it is at the request of the committee, and I am sure there is no objection.

The SPEAKER. Is there objection?

There was no objection.

FREMONT NATIONAL FOREST AND BIG HORN NATIONAL FOREST (H. DOC. NO. 192)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, ordered printed and referred to the Committee on Agriculture:

To the Congress of the United States:

I am transmitting herewith for the consideration of the Congress copies of resolutions adopted by the National Forest Reservation Commission at its meeting held on February 18, 1928, together with letters from the Secretary of Agriculture relating to the proposed addition of certain public lands to the Fremont National Forest, in the State of Oregon, and the Bighorn National Forest, in the State of Wyoming, which have been submitted by the President of the National Forest Reservation Commission.

CALVIN COOLIDGE.

THE WHITE HOUSE, *March 1, 1928.*

ENROLLED BILL SIGNED

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

H. R. 8227. An act authorizing the Sunbury Bridge Co., its successors and assigns to construct, maintain, and operate a bridge across the Susquehanna River at or near Bainbridge Street, in the city of Sunbury, Pa.

BILLS PRESENTED TO THE PRESIDENT

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

H. R. 121. An act authorizing the Cairo Association of Commerce, its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Cairo, Ill.; and

H. R. 5679. An act authorizing the Nebraska-Iowa Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River between Washington County, Nebr., and Harrison County, Iowa.

ADJOURNMENT

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Friday, March 2, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, March 2, 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 insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned farm areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects (H. R. 6091).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To amend the World War veterans' act, 1924 (H. R. 10160).

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).

To amend an act of Congress approved July 3, 1926, being Private Act No. 272, and entitled "An act conferring jurisdiction upon the Federal District Court for the Western Division of the Western District of Tennessee to hear and determine claims arising from the sinking of the vessel known as the *Norman*" (H. R. 10646).

To amend sections 116 and 118 of the Judicial Code (H. R. 5690).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

393. A letter from the Secretary of the Navy, transmitting draft of a bill "To authorize the Secretary of the Navy to advance public funds to naval personnel under certain conditions"; to the Committee on Naval Affairs.

394. A letter from the Secretary of the Navy, transmitting draft of a bill "For the conservation, care, custody, protection, and operation of the naval petroleum and oil shale reserves, and for other purposes"; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WYANT: Committee on Interstate and Foreign Commerce. S. 2800. An act 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.; with amendment (Rept. No. 801). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. R. 11200. A bill donating to the Ohio State Archæological and Historical Society two dedication stones formerly a part of one of the locks of the Ohio & Erie Canal; without amendment (Rept. No. 802). Referred to the Committee of the Whole House on the state of the Union.

Mr. GILBERT: Committee on the Library. H. R. 11482. A bill to amend section 2 of an act entitled "An act to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and the memorial shaft erected to his memory, and for other purposes," approved February 24, 1925; without amendment (Rept. No. 803). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHINDBLOM: Committee on Ways and Means. H. J. Res. 126. A joint resolution 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; with amendment (Rept. No. 804). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. S. 1181. An act authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended; with amendment (Rept. 805). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 10544. A bill to abolish the office of administrative assistant and disbursing officer in the Library of Congress and to reassign the duties thereof; with amendment (Rept. 806). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREW: Committee on Naval Affairs. H. R. 9289. A bill to provide additional pay for personnel of the United States Navy assigned to duty on submarine vessels and diving duty; with amendment (Rept. No. 807). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of South Dakota: Committee on World War Veterans' Legislation. H. R. 4964. A bill to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla.; without amendment (Rept. No. 808). Referred to the House Calendar.

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 10083. A bill to provide for advances of funds by special disbursing agents in connection with the enforcement of acts relating to narcotic drugs; without amendment (Rept. No. 809). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. J. Res. 75. A joint resolution authorizing the erection of a monument to the memory of Sacajawea, or Bird Woman; with amendment (Rept. No. 810). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 8132. A bill authorizing the appropriation of $2,500 for the erection of a tablet or marker at Medicine Lodge, Kans., to commemorate

the holding of the Indian peace council, at which treaties were made with the Plains Indians in October, 1867; without amendment (Rept. No. 811). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SPEAKS: Committee on Military Affairs. H. R. 851. A bill for the relief of Alfred Chapleau; without amendment (Rept. No. 812). Referred to the Committee of the Whole House.

Mr. HOFFMAN: Committee on Military Affairs. H. R. 9722. A bill for the relief of Allen Nichols; without amendment (Rept. No. 813). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 11616) to authorize alterations and repairs to certain naval vessels; to the Committee on Naval Affairs.

By Mr. BUTLER: A bill (H. R. 11617) for the conservation, care, custody, protection, and operation of the naval petroleum and oil shale reserves, and for other purposes; to the Committee on Naval Affairs.

By Mr. HILL of Alabama: A bill (H. R. 11618) to transfer hairy vetch seed from the dutiable list to the free list; to the Committee on Ways and Means.

By Mr. DYER: A bill (H. R. 11619) to adjust the salaries of criers and bailiffs of the United States district courts; to the Committee on the Judiciary.

By Mr. RAYBURN: A bill (H. R. 11620) to amend subsection (B), section 96, Federal bankruptcy act; to the Committee on the Judiciary.

By Mr. VINSON of Georgia: A bill (H. R. 11621) to authorize the Secretary of the Navy to advance public funds to naval personnel under certain conditions; to the Committee on Naval Affairs.

By Mr. FOSS: A bill (H. R. 11622) to amend the first paragraph of section 7 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: A bill (H. R. 11623) to authorize construction at the United States Military Academy, West Point, N. Y.; to the Committee on Military Affairs.

By Mrs. ROGERS: A bill (H. R. 11624) to provide double total disability to blind veterans, with an increase in compensation, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. LEAVITT: A bill (H. R. 11625) to amend the act of February 16, 1928, entitled "An act granting the consent of Congress to the State of Montana, Valley County, Mont., and McCone County, Mont., or to any or either of them, jointly or severally, to construct, maintain, and operate a bridge across the Missouri River at or near Glasgow, Mont."; to the Committee on Interstate and Foreign Commerce.

By Mr. McDUFFIE: A bill (H. R. 11626) to enable the promotion against the United States of proceedings in the nature of suits in admiralty to establish the claims of and/or by J. W. Hunter, as managing owner and operator of the late American schooner *Three Marys*, on behalf of himself and his coowners or the successor or successors in interest of them or any of them; and the claims of and/or by the successors in interest of J. W. Corry, lately managing owner and operator of the late American schooner *Frederick A. Duggan*, on behalf of themselves and their coowner; by reason of loss and damage suffered and sustained by them as a proximate result of restraint and/or detention, directly or indirectly, of the said schooner *Three Marys*, and as a proximate result of restraint or detention, directly or indirectly, of the said schooner *Frederick A. Duggan*, by authority of the United States, by whatever agency exercised, for the purpose of preventing sailing vessels of the United States from encountering the danger of destruction by enemy submarines; to declare the tribunal to hear and determine such claims; to set up the machinery for such hearing and determination; to provide for the payment of such claims as may be established, and for other purposes; to the Committee on the Judiciary.

By Mr. EVANS of Montana: A bill (H. R. 11627) to provide for the protection of municipal watersheds within the national forests; to the Committee on the Public Lands.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11628) to authorize the expenditure of $60,000 for certain improvements at Concho Indian School at Concho, Okla.; to the Committee on Indian Affairs.

By Mr. LEAVITT (by department request): A bill (H. R. 11629) to amend the proviso of the act approved August 24, 1912, with reference to educational leave to employees of the Indian Service; to the Committee on Indian Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. VINSON of Kentucky: Memorial of the Senate of the State of Kentucky, memorializing Congress for prompt and favorable action on the Tyson-Fitzgerald bill (H. R. 500) providing relief for disabled emergency Army officers; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 11630) granting a pension to Malissa E. Crouse; to the Committee on Pensions.

By Mr. BULWINKLE: A bill (H. R. 11631) granting an increase of pension to Nancy Wild; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 11632) granting an increase of pension to Katie Mulford; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 11633) granting an increase of pension to Emily S. Harris; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 11634) for the relief of Carrie S. Abbe; to the Committe on Pensions.

By Mr. DYER: A bill (H. R. 11635) granting permission to Felix Cordova Davila, Resident Commissioner to the United States from Porto Rico, to accept the decoration of "Caballero Comendador" and insignia of the "Royal Order of Isabel la Catolica" tendered him by the Kingdom of Spain; to the Committee on Foreign Affairs.

By Mr. FISH: A bill (H. R. 11636) granting an increase of pension to Margaret A. Monahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11637) granting an increase of pension to Ella C. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11638) granting an increase of pension to Mary E. Hyatt; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 11639) granting an increase of pension to Margaret C. Finch; to the Committee on Invalid Pensions.

By Mr. FREEMAN: A bill (H. R. 11640) granting a pension to Lydia M. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11641) granting a pension to Emmersancy J. Hayford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11642) granting a pension to Julia Pleffert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11643) granting a pension to Edward J. Noble; to the Committee on Pensions.

Also, a bill (H. R. 11644) granting an increase of pension to Lizzie J. Grosvenor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11645) granting an increase of pension to Harriet E. Ashbey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11646) granting an increase of pension to Carrie Latham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11647) granting an increase of pension to Elizabeth H. Shelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11648) granting an increase of pension to Helen M. Steward; to the Committee on Invaild Pensions.

Also, a bill (H. R. 11649) granting an increase of pension to Annie E. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11650) granting an increase of pension to Margaret W. Lathrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11651) granting an increase of pension to Martha J. Caryl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11652) granting an increase of pension to Adelaide P. Sawyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11653) granting an increase of pension to Emma T. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11654) granting an increase of pension to Sarah J. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11655) granting an increase of pension to Mary J. Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11656) granting an increase of pension to Mary A. Burrows; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11657) granting an increase of pension to Mary Britton; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 11658) for the relief of John Maika; to the Committee on Claims.

By Mr. GOLDSBOROUGH: A bill (H. R. 11659) for the relief of the Charlestown Sand & Stone Co., of Elkton, Md.; to the Committee on Claims.

By Mr. HALE: A bill (H. R. 11660) granting an increase of pension to Ella F. Paige; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11661) granting an increase of pension to Clara L. Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11662) granting a pension to Charles Smith; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 11663) granting a pension to Matilda Wright; to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 11664) granting a pension to Isabell Critchfield; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 11665) for the relief of Edward McDonald; to the Committee on Military Affairs.

By Mr. MacGREGOR: A bill (H. R. 11666) for the relief of Michael Kargul; to the Committee on Claims.

Also, a bill (H. R. 11667) granting a pension to Fred L. Stewart; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 11668) granting an increase of pension to Nannie E. Dunham; to the Committee on Invalid Pensions.

By Mr. NIEDRINGHAUS: A bill (H. R. 11669) granting an increase of pension to Edith Quick; to the Committee on Pensions.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 11670) granting a pension to Mary Agnes Staats; to the Committee on Pensions.

By Mr. PERRY: A bill (H. R. 11671) granting a pension to Lindsay Powers; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 11672) granting a pension to Sara Saylor; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 11673) granting an increase of pension to Ellen I. Willson; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 11674) for the relief of the George C. Mansfield Co. and George D. Mansfield; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 11675) granting an increase of pension to Ellen Higley; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11676) granting an increase of pension to Anna M. Orcutt; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 11677) granting an increase of pension to Elizabeth Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11678) granting an increase of pension to Lucinda B. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11679) granting an increase of pension to Savilla A. Barge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11680) granting an increase of pension to Catherine Ann Miller; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 11681) granting a pension to Joseph L. Short; to the Committee on Pensions.

By Mr. BACON: Joint resolution (H. J. Res. 225) to readmit Cornelia Roosevelt von Zedlitz to the character and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

By Mr. W. T. FITZGERALD: Resolution (H. Res. 129) that the sum of $200 be paid to Margaret Elma Naylor for extra and expert services to the Committee on Invalid Pensions; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4743. Petition of sundry citizens of Tulsa, Okla., presenting charges and affidavits against Judge Franklin E. Kennamer, judge of the United States court for the northern district of Oklahoma; to the Committee on the Judiciary.

4744. By Mr. BUCKBEE: Petition of Glen Ketcham and 23 other citizens of Sheridan and Ottawa, Ill., protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

4745. By Mr. BURTON: Resolution adopted by the Fairport Board of Trade, Fairport Harbor, Ohio, requesting that the local financial contribution requested by Congress for the extension of the present breakwater at Fairport Harbor be waived; to the Committee on Rivers and Harbors.

4746. By Mr. ENGLEBRIGHT: Petition of F. E. Brown and 129 citizens of Fair Oaks, Calif., protesting against House bill 78; to the Committee on the District of Columbia.

4747. Also, petition of Mrs. E. L. Robinson and other citizens of Fair Oaks, Calif., protesting against House bill 78; to the Committee on the District of Columbia.

4748. By Mr. MURPHY: Petition of L. E. Holloway, of Columbiana, Ohio, protesting against the passage of the Oddie bill; to the Committee on the Post Office and Post Roads.

4749. By Mr. FRENCH: Petition of eight citizens of Holcomb, Idaho, protesting against enactment of House bill 78, or any compulsory Sunday legislation; to the Committee on the District of Columbia.

4750. By Mr. FULBRIGHT: Petition of Civil War veterans and auxiliary organizations of Cape Girardeau, Mo., in favor of House bill 7206; to the Committee on Invalid Pensions.

4751. By Mr. GALLIVAN: Petition of William Smith, first vice president, Cigar Makers International Union, 202 Dudley Street, Roxbury, Mass., protesting against passage of House bill 9195, pertaining to Cuban parcel-post arrangements; to the Committee on Ways and Means.

4752. By Mr. GARBER: Letter of Cheney Bros., manufacturers, of South Manchester, Conn., in support of the Capper-Kelly bill, known as the resale price maintenance bill; to the Committee on Interstate and Foreign Commerce.

4753. Also, letter of Oklahoma Historical Society, of Oklahoma City, Okla., in support of House bill 6040, providing for an appropriation for the printing of the official papers of the Territories of the United States; to the Committee on Printing.

4754. By Mr. GARNER of Texas: Petition of citizens of Harlingen, Mercedes, and La Feria, Tex., against compulsory Sunday observance; to the Committee on the District of Columbia.

4755. By Mr. HADLEY: Petition of residents of Snohomish, Wash., protesting against the Lankford Sunday closing bill; to the Committee on the District of Columbia.

4756. By Mr. HAUGEN: Petition of seven citizens of Mason City, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4757. Also, petition of 15 citizens of Riceville, Iowa, protesting against the enactment of House bill 78 or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4758. By Mr. HOGG: Petition of John W. Covert and 75 other citizens of Lagrange County, Ind., protesting against passage of the Lankford bill; to the Committee on the District of Columbia.

4759. By Mr. KENDALL: Petition of Isaac H. Burford and other citizens of Uniontown, Pa., protesting against compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

4760. By Mr. KIESS: Petition from citizens of Wellsboro, Pa., protesting against the passage of House bill 78, known as the Lankford bill; to the Committee on the District of Columbia.

4761. By Mr. KINDRED: Petition of the National Bottlers' Gazette, urging the United States Congress, in behalf of House Resolution 123, to appoint a committee to investigate the official acts of the Federal Trade Commission in reference to the so-called Aluminum Trust, the so-called Bread and Baking Trust, and all other combinations dealing with household commodities; to the Committee on Rules.

4762. By Mr. KOPP: Petition signed by W. F. Clements and 46 other residents of Fort Madison, Iowa, in opposition to the Lankford Sunday observance bill; to the Committee on the District of Columbia.

4763. Also, petition signed by Olive L. Olson and eight other residents of Winfield, Iowa, and vicinity, protesting against the passage of the Lankford Sunday observance bill; to the Committee on the District of Columbia.

4764. By Mr. KORELL: Petition of citizens of Portland, Oreg., against the Lankford bill (H. R. 78); to the Committee on the District of Columbia.

4765. By Mr. LINDSAY: Petition of Queensboro Chamber of Commerce, favoring Federal jurisdiction and control of the construction of adequate flood control measures on the Mississippi River, at Federal expense, as outlined in referendum

No. 51 of the United States Chamber of Commerce; to the Committee on Flood Control.

4766. Also, petition of Powel Crosley, jr., protesting against proposal offered by the Merchant Marine and Fisheries Commitee, to require equal allotment of broadcasting power and licenses; to the Committee on the Merchant Marine and Fisheries.

4767. Also, petition of V. Bernard Siems, on behalf of the engineering profession, urging support of House bill 11026, providing for the coordination of the public health activities of the Government; to the Committee on Interstate and Foreign Commerce.

4768. Also, petition of E. N. Nockels, secretary and general manager Chicago Federation of Labor, and radio station WCFL, protesting against the amendment of paragraph 2, section 9, of the radio act of 1927, proposing to allocate frequencies in accordance with the established radio zones; to the Committee on the Merchant Marine and Fisheries.

4769. By Mr. LINTHICUM: Petition of Mrs. M. E. Cullinan, president Women's Auxiliary to the Railway Mail Association of Baltimore, indorsing House bill 25 and Senate bill 1727; to the Committee on the Civil Service.

4770. Also, memorial from Baltimore Federation of Churches, Baltimore, Md., and signed by many Baltimore residents, registering opposition to naval increase as proposed by present legislation; to the Committee on Naval Affairs.

4771. Also, petition of Christopher J. J. Witteman, United States custom guard, Baltimore, indorsing House bill 10644; to the Committee on Ways and Means.

4772. By Mr. MEAD: Petition or memorial of Hamburg Chamber of Commerce, regarding the Griest postal rate bill; to the Committee on the Post Office and Post Roads.

4773. By Mr. MILLER: Petition of citizens of Seattle, Wash., protesting passage of House bill 78; to the Committee on the District of Columbia.

4774. By Mr. NELSON of Maine: Petition of sundry residents of Waldo County, Me., against the proposed Lankford Sunday bill; to the Committee on the District of Columbia.

4775. By Mr. NEWTON: Petition of Mrs. Axel Larson, of Minneapolis, and others, against compulsory Sunday observance bill; to the Committee on the District of Columbia.

4776. By Mr. O'CONNELL: Petition of the Fritzsche Bros. (Inc.), of New York City, favoring the passage of the parcel post bill (H. R. 9195); to the Committee on Ways and Means.

4777. By Mr. OLIVER of New York: Petition of Bronx County Civil Service Employees Association (Inc.), protesting against efforts to relax, alter, amend, or repeal the civil service requirements in regard to employees of the Prohibition Bureau; to the Committee on the Civil Service.

4778. By Mr. RAMSEYER: Petition of residents of Oskaloosa, Iowa, protesting against the passage of the Lankford bill (H. R. 78), or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4779. By Mr. ROBINSON of Iowa: Petition from Rev. John Gammons, D. D., pastor of the Methodist Episcopal Church at Earlville, Iowa, which petition was voted unanimously by his congregation, against the large increase in our Navy; to the Committee on Naval Affairs.

4780. By Mrs. ROGERS: Petition of Ralph Wright, Henry J. Bridges, and other citizens of Hudson, Mass., against the enactment of House bill 78, to secure Sunday as a day of rest, etc.; to the Committee on the District of Columbia.

4781. Also, petition of H. S. Sanborn, of 37 Walnut Street, Natick, Mass., against House bill 78, requiring compulsory Sunday observance; to the Committee on the District of Columbia.

4782. By Mr. SANDERS of Texas: Petition of several citizens of Kaufman County, Tex., in behalf of the Hudspeth bill, to prevent gambling in cotton futures and to make it unlawful for any person, corporation, or association of persons to sell any contract for future delivery of any cotton within the United States, unless such seller is actually the legitimate owner of the cotton so contracted for future delivery at the time said sale or contract is made; to the Committee on Agriculture.

4783. By Mr. SUMMERS of Washington: Petition signed by M. Franks and 121 others, of the State of Washington, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4784. Also, petition signed by Mr. A. E. Wesseler and 19 others, of the State of Washington, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

4785. By Mr. SWICK: Petition of J. C. Glass and 18 other residents of New Castle, Lawrence County, Pa., protesting the passage of the Lankford bill, or any other measure proposing compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

4786. By Mr. TAYLOR of Colorado: Petitions from citizens of Cortez, Colo., protesting against the passage of the Lankford bill, or any other legislation to enforce compulsory Sunday observance; to the Committee on the District of Columbia.

4787. By Mr. THOMPSON: Petition of 16 citizens of Delta, Ohio, protesting against the passage of House bill 78, the so-called compulsory Sunday observance bill; to the Committee on the District of Columbia.

4788. By Mr. WASON: Petition of W. W. Eastman and 173 other residents of Hill, N. H., protesting against the passage of the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

4789. By Mr. WELLER: Petition of citizens of the State of New York, in favor of House bill 6518; to the Committee on the Civil Service.

4790. By Mr. WELSH of Pennsylvania: Petition bearing 563 signatures of citizens of Philadelphia, Pa., opposed to House bill 78, known as Lankford Sunday observance bill; to the Committee on the District of Columbia.

SENATE

FRIDAY, *March 2, 1928*

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

Most merciful God, who art of purer eyes than to behold iniquity, and hast promised forgiveness to all who confess and forsake their sins, we bow before Thee in an humble sense of our own unworthiness, acknowledging our manifold transgressions of Thy righteous laws. Reform whatever is amiss in the temper and disposition of our souls, that no unholy thoughts, unlawful designs, or inordinate desires may rest there. Purge our hearts from envy, hatred, and malice, that we may never suffer the sun to go down upon our wrath, but may always go to our rest in peace, charity, and good will, with a conscience void of offense toward Thee and toward men. Grant this, we beseech Thee, for the sake of Him who is our Master and our Savior, Jesus Christ, Thy Son, our Lord. Amen.

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

MESSAGE FROM THE HOUSE—ENROLLED BILL 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 enrolled bill (H. R. 8227) authorizing the Sunbury Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Susquehanna River at or near Bainbridge Street, in the city of Sunbury, Pa., and it was thereupon signed by the Vice President.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. ROBINSON of Arkansas. I wish to announce that the Senator from New Jersey [Mr. EDWARDS] is necessarily detained from the Senate by illness in his family.

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

LANDS FOR LIGHTHOUSE PURPOSES

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting a