Congressional Record

PROCEEDINGS AND DEBATES OF THE SEVENTIETH CONGRESS
SECOND SESSION

SENATE

MONDAY, *January 28, 1929*

Rev. James W. Morris, D. D., assistant rector of the Church of the Epiphany, Washington, D. C., offered the following prayer:

Let us pray.

O God, our Father, Thou alone hast immortality; for Thou alone art from everlasting to everlasting. Thou alone hast neither beginning of days nor end of life. And Thou only art wise. To Thee alone belong the secrets of eternal time, from inscrutible beginnings to mysterious end. Thou, too, art the blessed and only Potentate, King of Kings, and Lord of Lords, in whose hand our breath is and whose are all our ways.

Eternal, All-Wise, Almighty God, graciously hear the prayers of the frail creatures of Thy hand. Impress us not only with life's uncertainties but also with its swift and solemn certainties. Save us from futilities that darken our brief day. Challenge us with high duties that once and once only are ours. Grant us to test the things for which we strive and the forces that rule our life by our high calling in Christ Jesus.

Give us grace so to serve Thee in our generation that at last we may be gathered to our fathers, having the testimony of a good conscience, in the communion of Thy holy church, in the confidence of a certain faith, in the comfort of a reasonable, religious, and holy hope in favor with Thee our God, and in perfect charity with the world. For the sake of Jesus Christ our Lord. Amen.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the bill (S. 3453) to confer jurisdiction upon the Court of Claims to hear and determine the claim of Clara Percy, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 11854) for the relief of John W. Leich, alias John Leach, in which it requested the concurrence of the Senate.

FINAL ASCERTAINMENT OF ELECTORS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, a certified copy of the final ascertainments of the electors for President and Vice President from the State of Nevada at the election held November 6, 1928, which was ordered to lie on the table.

EXPENSES OF ADMINISTRATION OF SETTLEMENT OF WAR CLAIMS (S. DOC. NO. 211)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a supplemental estimate of appropriation, fiscal year 1930, for the War Department, for expenses of administration of settlement of war claims, act of 1928, amounting to $100,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SENATOR FROM NEW MEXICO

Mr. BRATTON presented the credentials of BRONSON CUTTING, chosen a Senator from the State of New Mexico for the term commencing March 4, 1929, which were read and ordered to be placed on file, as follows:

THE CANVASSING BOARD OF THE STATE OF NEW MEXICO.

To all to whom these presents shall come, greeting:

This is to certify that BRONSON CUTTING was duly and regularly elected in accordance with law to the office of United States Senate (6-year term beginning March 4, 1929) at the general election held in the said State of New Mexico on the 6th day of November, in the year 1928, as shown by the returns of said election on file in the office of the secretary of state, and as declared and determined by the State canvassing board, consisting of the governor, the secretary of state, and the chief justice of the State of New Mexico.

In testimony whereof, we have hereunto set our hands and caused to be affixed the great seal of the State of New Mexico this 3d day of December, A. D. 1928, and of the independence of the United States the one hundred and fifty-second.

R. C. DILLON,
Governor of New Mexico.
FRANK W. PARKER,
Chief Justice of New Mexico.
[SEAL.]
JENNIE FORTUNE,
Secretary of State of New Mexico.

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	Fletcher	Keyes	Sheppard
Barkley	Frazier	King	Shipstead
Bayard	George	La Follette	Shortridge
Bingham	Gerry	McKellar	Simmons
Black	Gillett	McMaster	Smith
Blaine	Glass	McNary	Smoot
Blease	Glenn	Mayfield	Steiwer
Borah	Goff	Moses	Stephens
Bratton	Gould	Neely	Swanson
Brookhart	Greene	Norbeck	Thomas, Idaho
Bruce	Hale	Norris	Thomas, Okla.
Burton	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Copeland	Hawes	Phipps	Wagner
Couzens	Hayden	Pine	Walsh, Mont.
Curtis	Heflin	Reed, Pa.	Warren
Dale	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Sackett	Watson
Edge	Kendrick	Schall	Wheeler

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is still absent on account of illness. I will let this announcement stand for the day.

Mr. WALSH of Montana. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is absent on account of illness.

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

PERSONAL EXPLANATION—SPANISH-AMERICAN WAR

Mr. BORAH. Mr. President, I desire to occupy the attention of the Senate just a moment. During the debate on the peace treaty a colloquy took place in the Senate with reference to the Spanish-American War. It came up purely in the way of illustration and as an incident of the debate. Some erroneous impressions seem to have been drawn by the Spanish people and the Spanish Government from that debate.

I think I can speak for all those who took part in the colloquy to the effect that there was no intention of reviving the question of the responsibility for the destruction of the *Maine*, nor in any wise assessing or reassessing or imputing any responsibility to the Spanish people or the Spanish Government. A careful reading of the debate, I believe, will disclose that fact.

I desire to say further that I am sure I express the views of the American people and of the American Government when I say that it is our desire to live upon terms of cordial friendship with the Spanish Government and the Spanish people, and, furthermore, that we entertain for them the highest respect and the most sincere good feeling.

Mr. JOHNSON. Mr. President, may I very cordially reaffirm what has been said by the Senator from Idaho? The

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query which probably has given rise to the unfortunate situation was in fact one which was propounded by me, during the course of the debate upon the multilateral peace treaty, to the Senator from Idaho, the chairman of the Foreign Relations Committee. The propounding of the query was in an academic sense entirely and because in reading the multilateral treaty some curiosity had been aroused in my mind as to events that had transpired in the past and what effect the treaty might have had upon those events.

It seemed to me that the treaty, if it had been in force at the time of the Spanish-American War, would have precluded such a war on our part. Solely because that was the opinion I held, I asked the question of the Senator from Idaho whether in his opinion that was the case? That was all there was to the incident. Behind it there was no thought in my mind, none in his, none in the minds of those who participated in the discussion, other than a mere construction of what the treaty might have done in days gone by.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a joint memorial of the Legislature of the State of Arizona, praying for the immediate passage of legislation to protect the southwest section of the country from the foot-and-mouth disease, which was referred to the Committee on Agriculture and Forestry.

(See joint memorial printed in full when presented to-day by Mr. ASHURST.)

The VICE PRESIDENT also laid before the Senate a concurrent resolution of the Legislature of the State of Indiana, indorsing and approving the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes, which was ordered to lie on the table.

(See concurrent resolution printed in full when presented to-day by Mr. WATSON.)

Mr. OVERMAN presented a petition of sundry citizens of Tryon, N. C., praying for the continuance of the present immigration law with the national origins quota provision contained therein to become operative on July 1, 1929, which was referred to the Committee on Immigration.

Mr. ASHURST presented the following joint memorial of the Legislature of the State of Arizona, which was referred to the Committee on Agriculture and Forestry:

HOUSE OF REPRESENTATIVES,
NINTH STATE LEGISLATURE, REGULAR SESSION.

House Joint Memorial 1

Whereas there exists within the State of California at the present time an epidemic of that highly infectious disease, affecting man and all cloven-hoof animals, known as the foot-and-mouth disease; and

Whereas it has been reported by reliable authority that the present as well as similar outbreaks of the past have been introduced into the United States by the importation of garbage from foreign countries, specific instances being as follows:

(1) During the month of February, 1924, introduced at Vallejo, Calif., by garbage from a United States naval transport.

(2) During the month of September, 1925, introduced into a Texas seaport by garbage from a tramp steamship.

(3) During the month of January, 1929, introduced into the port of San Pedro, Calif., by garbage from a United States naval transport: And, therefore, be it

Resolved by the House of Representatives of the Ninth State Legislature of the State of Arizona (the State Senate concurring), That the Congress of the United States be memorialized, petitioning that immediate and adequate legislation be enacted by said Congress to protect this section of the country from the present recurrence and future recurrence of this dread infection; and be it further

Resolved, That copies of this memorial, suitably engrossed, be transmitted to the Secretary of the Interior, the Speaker of the House of Representatives in Congress, and to each of the Representatives in Congress from the State of Arizona.

Mr. WATSON presented the following concurrent resolution of the Legislature of the State of Indiana, which was ordered to lie on the table:

STATE OF INDIANA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, Otto G. Fifield, secretary of state of the State of Indiana, and being the officer who under the constitution and laws of said State is duly constituted the custodian of the public records of the State of Indiana and the keeper of all books and papers thereto pertaining, and being empowered to authenticate exemplifications of the same, do hereby certify that an exemplified copy, carefully compared by me with the original of the same now in my official custody as secretary of state, and found to be a full, true, and correct copy of enrolled concurrent resolution indorsing and urging the passage of the cruiser bill now pending in Congress, is as follows, to wit:

"SECTION 1.

"*Be it resolved by the House of Representatives of the State of Indiana (the State Senate concurring)*, That the General Assembly of the State of Indiana hereby indorses and approves of the cruiser bill now pending in Congress, and recommends and urges that this bill be promptly enacted into law, and that the cruiser-building program be entered upon at once and carried to a speedy conclusion.

"SEC. 2. The secretary of state is hereby directed to transmit a certified copy of this resolution at once to the President of the United States Senate, to the Speaker of the National House of Representatives, and to each of the Senators and Representatives in Congress from the State of Indiana.

"JAMES M. KNAPP,
"*Speaker of the House of Representatives.*
"EDGAR D. BUSH,
"*President of the Senate.*

"Approved: January 23, 1929.

"HARRY G. LESLIE,
"*Governor of the State of Indiana.*"

And I hereby further certify, that the herein exemplification is in due form and made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

In witness whereof I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 23d day of January, A. D. 1929.

[SEAL.] OTTO G. FIFIELD, *Secretary of State.*

FERTILIZER AT MUSCLE SHOALS

Mr. BLACK. Mr. President, I ask unanimous consent to have referred to the Committee on Agriculture and Forestry and printed in the RECORD a statement by W. F. McFarland, of Florence, Ala., concerning nitrogen as a fertilizer and the failure of the farmer to derive benefit from the plant at Hopewell, Va.

There being no objection, the statement was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

W. F. MCFARLAND COAL CO.,
Florence, Ala., January 26, 1929.

Senator HUGO BLACK,
Washington, D. C.

DEAR SENATOR: You will remember that in the debates on Muscle Shoals legislation during the last session of Congress the statement was made many times that the synthetic process for the fixation of air nitrogen was much cheaper and more practical than the cyanamid process, and that the farmers would get an abundance of cheap nitrogen as soon as the synthetic-ammonia manufacturers entered the fertilizer field.

The synthetic-ammonia plant at Hopewell, Va., is now offering their product to the fertilizer mixers. We have not been able to get the price of ammonia f. o. b. Hopewell, but the cost delivered to the International Agricultural Corporation, a fertilizer mixer at Florence, Ala., is $3.07 per unit. The unit in fertilizer parlance is 1 per cent of the short ton, or 20 pounds of pure plant food.

The price per pound of ammonia is, therefore, $0.1535. Expressed in nitrogen: 20 pounds of ammonia equals 16.5 pounds of nitrogen. Therefore, $0.1535 for ammonia equals $0.186 for nitrogen.

The cash retail price of Chilean nitrate quoted by the International Agricultural Corporation at Florence is on the basis of $0.20256 per pound of nitrogen. This company has not quoted the retail unit price of synthetic ammonia, but it is safe to assume that at least a margin of $0.01656 per pound will be added to their cost, making the retail price to the farmer the same as Chilean nitrate.

I would suggest that the above information, after being verified by Doctor Cottrell, of the Nitrogen Research Laboratory at Washington, could be used effectively in furthering the Muscle Shoals cause.

Doctor Cottrell, testifying before the House Military Affairs Committee at various times during the long Muscle Shoals hearings, indicated that the farmer would get relief from high nitrogen prices when the synthetic-ammonia people entered the fertilizer field.

It now looks as if the operation of the Muscle Shoals plant is the only hope of the farmer for cheaper fertilizer.

It has been repeatedly said that this plant is obsolete, but it appears to me that the most obsolete feature of the fertilizer business is the American method of obtaining nitrogen for our farmers.

According to the United States Commerce Department report for 1927, the power required per ton of nitrogen by German manufacturers, using the cyanamid process, is 9,090 kilowatt-hours. At 2 mills per kilowatt-hour, this amount of power would cost $18.80, or 0.0094 mill per pound of nitrogen. At this rate the power cost to manufacture the 310 pounds of nitrogen contained in a ton of Chilean nitrate, costing the farmer $62.79, would be only $2.91.

* * * * * * *

W. F. MCFARLAND.

REPORTS OF COMMITTEES

Mr. SMOOT, from the Committee on Finance, submitted a report (No. 1543) to accompany the bill (S. 5452) to amend the trading with the enemy act so as to extend the time within which claims may be filed with the Alien Property Custodian, heretofore reported by him from that committee, without amendment, and passed.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 5228) to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation, reported it with amendments and submitted a report (No. 1544) thereon.

Mr. HEFLIN, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 5474) authorizing the Director of the Census to collect and publish certain additional cotton statistics, reported it without amendment and submitted a report (No. 1545) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (H. R. 9737) for the relief of Herman C. Davis, reported it with an amendment and submitted a report (No. 1546) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (H. R. 11064) for the relief of F. Stanley Millichamp, reported it with an amendment and submitted a report (No. 1547) thereon.

He also, from the same committee, to which was referred the bill (H. R. 8968) to allow credit in the accounts of William A. Schoenfeld, reported it without amendment and submitted a report (No. 1548) thereon.

Mr. STEPHENS, from the Committee on Claims, to which were referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon:

A bill (S. 4819) for the relief of Roy M. Lisso, liquidating trustee of the Pelican Laundry (Ltd.) (Rept. No. 1549); and

A joint resolution (H. J. Res. 135) for the relief of special disbursing agents of the Alaska Railroad (Rept. No. 1550).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. SHEPPARD:

A bill (S. 5582) to promote the safety of travelers and employees upon railroads by compelling common carriers engaged in interstate commerce to use in passenger-train service cars of steel or steel underframe construction, and prohibiting under certain conditions the use of wooden cars, and for other purposes; to the Committee on Interstate Commerce.

By Mr. BROOKHART:

A bill (S. 5583) authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa; to the Committee on Commerce.

By Mr. GOFF:

A bill (S. 5584) granting an increase of pension to Laura B. Strider (with accompanying papers); to the Committee on Pensions.

By Mr. SACKETT:

A bill (S. 5585) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio; to the Committee on Commerce.

A bill (S. 5586) granting a pension to Pricy Riley; to the Committee on Pensions.

By Mr. THOMAS of Idaho:

A bill (S. 5587) granting a pension to George Pierce; to the Committee on Pensions.

By Mr. REED of Pennsylvania:

A bill (S. 5588) granting a pension to Margaret Campion (with accompanying papers); and

A bill (S. 5589) granting a pension to Margaret Kenney (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5590) granting war-risk insurance to Ernest L. McDowell; to the Committee on Finance.

By Mr. DALE:

A bill (S. 5591) granting an increase of pension to Nancy A. Sawyer (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A joint resolution (S. J. Res. 205) proposing an amendment to the Constitution of the United States relative to aliens; to the Committee on the Judiciary.

DRAFTING OF NATIONAL RESOURCES IN WAR TIMES

Mr. REED of Pennsylvania. Mr. President, the members of the Senate have heard for several years much discussion of the proposal to draft all of the resources and man power of the Nation in case of war. The American Legion has taken a leading part in urging the adoption of some such proposal. The Senator from Kansas [Mr. CAPPER] in the last Congress introduced a bill providing for such action in case of war. The problem involves so many angles, and is capable of so much mistaken action if we should act in haste, that it seems to me wise to consider it deliberately in peace time rather than hurriedly in the next emergency. I therefore take great pleasure in submitting now, at the request of the American Legion, a joint resolution providing for the appointment of a commission to consider and recommend legislation along that line, which I ask may be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The joint resolution will be read by title.

The joint resolution (S. J. Res. 204) to promote peace and to equalize the burdens and to minimize the profits of war was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENT TO NICARAGUAN CANAL RESOLUTION

Mr. HAWES submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 117) authorizing an investigation and survey for a Nicaraguan canal, which was, on page 4, in line 19, after the words "Chief of Engineers," to insert "and such civilian engineers as the President deems advisable."

The amendment was ordered to lie on the table and be printed.

HOUSE BILL REFERRED

The bill (H. R. 11854) for the relief of John W. Leich, alias John Leach, was read twice by its title and referred to the Committee on Military Affairs.

PROPOSED CONSIDERATION OF BRIDGE BILLS

Mr. FLETCHER. Mr. President, there are a number of bridge bills on the calendar which have recently been reported. Some of them are Senate bills, and it is quite important to have them sent over to the House of Representatives. They are formal bills, they are all framed according to the regular form, and have been reported on favorably by the Commerce Committee. I ask unanimous consent that we may consider those bridge bills and let them be sent to the House of Representatives.

Mr. JONES. Has morning business been closed, Mr. President?

The VICE PRESIDENT. Morning business has not been closed. Concurrent and other resolutions are now in order. Morning business is about to be closed.

CERTAIN UNITED STATES PROPERTY AT NEW YORK CITY

Mr. WAGNER. Mr. President, I submit the concurrent resolution which I send to the desk, and I ask that it may be adopted. The resolution proposes the recall of a bill from the President.

The VICE PRESIDENT. The clerk will read the resolution.

The concurrent resolution (S. Con. Res. 32) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the joint resolution (S. J. Res. 171) entitled "Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid transit railway."

Mr. WAGNER. I ask for the adoption of the resolution.

The VICE PRESIDENT. Is there objection?

The concurrent resolution was considered by unanimous consent and agreed to.

AWARD OF GOLD MEDALS—AMENDMENT OF TITLE

Mr. BINGHAM. Mr. President, on Saturday the Senate agreed to amendments to a Senate bill which had been acted on by the House, but through inadvertance the title of the bill was not amended. I am presenting at this time and ask unanimous consent for the immediate consideration of a concurrent resolution directing that the title of the bill be amended so as to be correct.

The VICE PRESIDENT. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 33) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 4338) entitled "An act to authorize the President to award, in the name of Congress, gold medals of appropriate design to Albert C. Read, Elmer F. Stone, Walter Hinton, H. C. Rodd, J. L. Breese, and Eugene Rhodes," the Secretary of the

Senate is hereby authorized to amend the title thereof, so as to read: "An act to authorize the President to award, in the name of Congress, gold medals of appropriate design to John H. Towers, Albert C. Read, Elmer F. Stone, Walter Hinton, H. C. Rodd, J. L. Breese, and Eugene Rhodes."

INVESTIGATION OF ELECTION OF SENATOR FROM PENNSYLVANIA, 1926

Mr. SHORTRIDGE submitted the following resolution (S. Res. 310), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 68, agreed to on December 17, 1927, authorizing the Committee on Privileges and Elections to investigate the election of a Senator from the State of Pennsylvania in 1926, hereby is continued in full force and effect until the end of the first regular session of the Seventy-first Congress.

INVESTIGATION OF APPOINTMENTS OF POSTMASTERS IN PRESIDENTIAL OFFICES

Mr. MOSES submitted the following resolution (S. Res. 311), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 193, agreed to on May 3, 1928, authorizing the Committee on Post Offices and Post Roads to investigate the choice of postmasters in presidential offices, hereby is continued in full force and effect until the end of the first regular session of the Seventy-first Congress.

POINTS OF HISTORIC INTEREST IN THE NATIONAL CAPITAL

Mr. MOSES submitted the following resolution (S. Res. 312), which was referred to the Committee on Printing:

Resolved, That the pamphlet, Points of Historic Interest in the National Capital, with accompanying illustrations, be printed as a Senate document, and that 10,000 additional copies be printed for the use of the Senate document room.

FEDERAL FARM LOAN SYSTEM

Mr. BLEASE. I submit a resolution which I ask may be referred, with the accompanying papers, to the Committee on Banking and Currency, and that the accompanying matter be printed in the RECORD.

The resolution (S. Res. 313) was referred, with the accompanying papers, to the Committee on Banking and Currency, as follows:

BANKING AND CURRENCY

Whereas it appears that certain members of the Federal Farm Loan Bureau of the Treasury Department and officers of certain district Federal land and intermediate credit banks, comprising what is known as a branch of the Federal farm loan system, established by act of Congress in 1916, and as amended, in the present dilemma to fortify the said banks against the financial losses resulting from foreclosure of farm mortgages and the mismanagement of the affairs of said banks, did recently cause to be issued, or did issue, orders to the national farm loan associations, which now own the capitalization of the said district Federal land banks, which would amend the Federal farm loan act, and provides that such associations and farmer owners would assume liabilities in excess of the 10 per cent limit of individual farm loans established by act of Congress; and

Whereas Congress did establish said 10 per cent maximum limit only after most exhaustive investigation and hearings on the part of its committees, fullest discussion on the floor of the House of Representatives and of the Senate, prior to the passage of said act; and

Whereas it is contrary to legal or orderly procedure for any bureau or board, established by act of Congress for the purpose of supervising or administration of the affairs of any branch of the Federal Government, to thus assume to usurp the legislative prerogatives of Congress by increasing the percentage of liability any farmer borrower shall be obliged to pay in the settlement of losses of any Federal land bank; and

Whereas the increased liability limit constitutes extortionate usury in the form of overcharges against said farmer-borrowers and national farm loan associations; and

Whereas the Federal farm loan act was enacted for the purpose of relieving and not burdening the American farmer with debt and excessive charges and commissions; and

Whereas it appears that the members of the Federal Farm Loan Bureau, as individuals and working through their appointees in the Federal land banks, did resort to unfair and unjust methods and practices in securing the indorsement of the proposed agreement to increase the liability limit; and

Whereas it appears that partisan political pressure has been brought to bear upon certain national farm loan association representatives, who have been threatened by said members of the bureau or their appointees in the event of their failure to comply with the illegal proposal; and

Whereas the very fact that the members of the Federal Farm Loan Bureau now resort to this illegal contravention of an act of Congress to bolster up the tottering financial condition existing in certain district Federal and intermediate credit banks constitutes confession of the deplorable financial condition of certain banks; and

Whereas the interests of American bondholders of securities issued under the supervision of the said Federal Farm Loan Bureau, on the part of the district Federal and intermediate-credit banks, in excess of $1,500,000,000 is now in open jeopardy by reason of the critical financial condition of such banks, and the faith and confidence of the American investor may be impaired if remedies are not quickly brought to the rescue; and

Whereas both the interest of American agriculture and of the investing public are now at stake; and

Whereas thousands of farmers would be overburdened by payment of excessive liabilities to said banks under the illegal proposed plan, and other thousands deprived of membership and service by reason of not wishing to affiliate with banks so near bankruptcy as to require excessive liability assumption on the part of stockholding members; and

Whereas it appears that for several years an alleged fiscal agency, or agent, has operated under the official sanction of the said bureau, in behalf of certain Federal and intermediate credit banks, the aggregate contributions from the funds of said banks having totaled in excess of $500,000, said money representing funds which belonged to the farmer-owners and should have been distributed to them as dividends or profits; and

Whereas it appears that much of this money was employed in publicity or propaganda purposes, some of which was used to secure legislative amendments to the farm loan act in keeping with the viewpoint of said members of the bureau and land-bank staffs, contrary to the wishes of the farmer owners; and

Whereas neither the Federal Farm Loan Bureau of the Treasury nor the fiscal agency or agent has transmitted either to the farmer-owners of the land banks or to Congress a financial statement of the condition of the banks or the agency under their supervision comparable to that issued freely by both National and State banking institutions; and

Whereas the consolidated resources of the Federal land and intermediate credit banks is money which justly belongs to the thousands of farmers who have jointly contributed to the treasuries of said banks, and is not the property of any supervising dictator or appointee; and

Whereas it now appears that in excess of $80,000,000 such undivided profits have accrued in the treasuries of said banks, which should be used to reduce interest rates which farmer borrowers are obliged to pay on their farm loans; and

Whereas the financial condition of several of the Federal land and intermediate credit banks is acknowledged to be critical by members of the Federal Farm Loan Bureau and the bank officers, who have resorted to an illegal and extortionate method to repay losses; and

Whereas the subject of just and economical financing of American agriculture now constitutes one of the outstanding problems of the hour, the proper solving of which may free millions of farmers from the excessive extortion which has prevailed, and permit thousands to participate of the financial service intended in the Federal farm loan act: Therefore be it

Resolved, That the President of the Senate be, and is hereby, authorized and directed to appoint a committee to investigate fully into the affairs of the said Federal Farm Loan Bureau of the Treasury Department, of financial condition and administrative methods involved in operation of the 12 district Federal land banks and 12 district intermediate credit banks, constituting branches of the Federal farm loan system, said committee to consist of two members each of the majority and minority parties represented in the membership of the Senate, namely, two Republican and two Democratic Members, said committee to carry on an exhaustive and thorough nation-wide investigation concerning:

(a) Procedure employed by members of the Federal Farm Loan Bureau and of their appointees, members of the staffs of the said Federal land and intermediate credit banks, in securing indorsement of the agreement to increase the liability to be assumed by national farm loan associations and farmer-borrower stockholding owners of said banks, in excess of that legal maximum established in the farm loan act;

(b) The percentage of extortionate usury which would be exacted of the said associations and farmer owners as result of such excessive liability limit;

(c) Whether undue or unjust methods were employed to secure such indorsement of said associations, their officers, or farmer owners, and if political pressure or partisanship is and/or has been employed in supervision and administration of said banks, either by members of Federal Farm Loan Bureau or their appointees, officers of said banks, in relation with affairs of the said associations and loan business of farmer owners;

(d) If interest of farmer-owners and of the bondholders of Federal land and intermediate credit banks are in jeopardy, requiring special remedial measures or financial assistance;

(e) Actual financial condition of the Federal land and intermediate credit banks, and intelligent financial statement of the financial subjects under control of the Federal Farm Loan Bureau, and of the transactions, since inception, of the so-called fiscal agency, or agent,

that will permit the farmer-owner and public to understand clearly the real status of the system;

(f) Relief that will insure to farmer-owners not assuming in excess of their proportionate legal liability of the losses involved in failure of certain banks to pay profit, either as result of mismanagement or foreclosure of farm-mortgage loans;

(g) Whether money or moneys of fiscal agency or agent have been devoted to publicity or propaganda purposes, and who handled and received same, and for what specific purpose or purposes;

(h) Whether dishonest and improper methods have been resorted to in the examination of the financial affairs of the local national farm-loan associations on the part of members of the Federal Farm Loan Bureau, or by their appointees, the examiners;

(i) Whether what is commonly known as political patronage methods have been introduced in the supervision or administration of the affairs of any acts of certain members of the bureau or of the district banks; and

(j) Public hearings to be held in one or more localities of each of the 12 districts constituting the area of the 12 Federal land bank districts, public notice of which has been provided not less than two weeks prior to said hearing.

For the purposes of this resolution, such committee or subcommittee is authorized to hold public hearings and to sit and act at such times and places as it deems necessary or proper; to, require, if necessary, by subpœna or otherwise, the attendance of witnesses; to require the production of books, papers, communications, documents, reports, and other evidence; and to employ counsel, expert and other assistants. The cost of stenographic service to report such hearings shall not exceed 25 cents per hundred words. The chairman of the committee or subcommittee, or any member thereof, may sign subpœnas and administer oaths to witnesses; and every person duly summoned before said committee or subcommittee who shall refuse or fail to obey the process of said committee or subcommittee, or appears or refuses to answer questions pertinent to the investigation, shall be punished as prescribed by law.

The cost of the aforementioned investigation and continued investigations shall be paid out of the contingent fund of the Senate, on vouchers of the committees or subcommittees, duly signed by the chairman and approved by the Committee to Audit and Control the Contingent Expenses of the Senate, and shall not exceed the sum of $100,000.

The committee or subcommittee shall make a final report to the Senate as to its findings, together with such recommendations for legislation as it deems advisable, prior to adjournment of the regular session of the Seventy-first Congress.

The accompanying papers were ordered to be printed in the RECORD and referred to the Committee on Banking and Currency, as follows:

FEDERAL LAND AND INTERMEDIATE CREDIT BANK REFERENCES IN CONGRESSIONAL RECORD

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1928—		
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MALENA, GA., *January 19, 1929.*

Hon. COLE L. BLEASE,
Washington, D. C.

MY DEAR SENATOR: In your investigation of the Columbia Land Bank would you please investigate the loan made to John Sheffield, of this place? He has been dead four years and his family have been required to pay rent and also keep up the payment to the land bank. I would be glad if you would find out what became of the cotton we paid for rent. Did the land bank get it? If so, what did they do with it? And I would like to know what became of John Sheffield's stock in the land bank, and why it does not pay any dividend. I think that the local attorney for the land bank is working on both sides, as he has accepted a fee from the heirs of John Sheffield, which I have been advised is unlawful. Please get Ben Tillman's pitchfork after these fellows. Any information you wish I will gladly give, as I and my mother have been unable to find what use the rent cotton was put to.

We shall look for you to investigate this matter, for we know that what you do will be well done.

Yours,

JOHN SHEFFIELD, Jr.

P. S.: You may make any use of this letter you please, for the facts stated can be supported by written evidence, bill, and receipt.

J. S., Jr.

REEVESVILLE, S. C., *January 26, 1929.*

Hon. COLE L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I know that you are well informed as to the depressed agricultural conditions in South Carolina. You know the coastal section was visited last year by a tropical storm which took very heavy toll from the farmers. I do not know the exact percentage of farmers whose farms are mortgaged in our State, but I do know that it runs very high—80 to 85 per cent, I think.

These mortgages are largely owned by the joint-stock land bank, Federal land bank, and large insurance companies. A great many of them in our section have already been taken over by the mortgagees, and unless our products bring a more remunerative price than they have in the past several years the Federal land bank and the joint-stock land bank will own the balance of them, unless there is some outside help. Is it possible to stay this interest from five to eight years and give the farmers time to get back on their feet? You know we were all caught by the gradual inflation and sudden deflation by the Government, and it is next to impossible to pay an inflated debt with a deflated dollar.

You extended the foreign debt for 30 years without interest and 30 years more at a very low rate of interest—3 per cent, I think—while we, a part of your own Government, are paying 6½ to 7 per cent, and if we miss our payment we are closed out and put in the woods. It looks to me that we, a part of your own Government, should have some consideration along this line.

I know you are very busy and I am sorry to trouble you with these matters, but they are of a serious nature, and I would like to have your valuable cooperation. As you know, I have a very high regard for your opinion in all business matters, governmental and otherwise.

With kind regards I am,

Yours very sincerely,

A. R. JOHNSTON.

WASHINGTON, D. C., *January 28, 1929.*

Dr. A. R. JOHNSTON,
Reevesville, S. C.

MY DEAR DOCTOR: Yours of January 26 received.

I thank you for the same. However, I am thoroughly familiar with the conditions mentioned therein and I have been trying for months to get relief for our farmers, as you will notice by reference to the CONGRESSIONAL RECORD, and even this morning, before I received your letter, I was preparing an additional statement to insert in the CONGRESSIONAL RECORD to-day.

I am inclosing copy of resolution introduced by me December 14, 1928. I am going to keep up the fight, but whether I can get any assistance or not, even from southern Senators, is very doubtful, as so far I have been unable to do so; not one has lifted his voice to help me in the matter. I shall insert your letter along with others which I have in to-morrow's CONGRESSIONAL RECORD and mail you a copy.

I notice in your letter you say, "You extended the foreign debt, etc." I beg to say that you are very much mistaken. You should have said "Congress," for if I had had my way every dollar of foreign indebtedness would have been collected dollar for dollar with full rate of interest.

I thank you very much for your kind personal reference to myself, and with my kindest regards and very best wishes, I am

As ever,

COLE L. BLEASE.

[Inclosure]

S. J. Res. 178, Seventieth Congress, second session

IN THE SENATE OF THE UNITED STATES

December 13 (calendar day, December 14), 1928

Mr. BLEASE introduced the following joint resolution, which was read twice and referred to the Committee on the Judiciary:

Joint resolution (S. J. Res. 178) to instruct officials of the Federal Farm Loan Board and subsidiaries not to foreclose any mortgage on real estate which is or will become due and payable prior to October 1, 1929

Resolved, etc., That the officials of the Federal Farm Loan Board and all subsidiaries thereof be, and are hereby, directed to advise and instruct all of the officials of all banks under their control not to foreclose any lien or mortgage held by them upon any real estate which is or will become due and payable prior to October 1, 1929.

FARMERS' PRODUCE EXCHANGE,
GENERAL OFFICE,
Beaufort, S. C., January 19, 1929.

Senator COLE L. BLEASE,
Washington, D. C.

Re: Federal intermediate credit bank, Columbia, S. C.

DEAR SENATOR: I would like very much for you to take up the matter of the Federal loan bank and ascertain from them as to how legitimate,

honest working farmers in our section can compete with operation of farms by the Federal intermediate bank, Columbia, S. C.

It appears to us in this community very unjust competition, and would like very much to know if this is the general practice of all Federal intermediate banks operated by the Government.

Anything you can do for us in remedying the conditions that we are confronted with under the present times will be greatly appreciated.

I am,

Yours very truly, R. V. BRAY.

WASHINGTON, D. C., *January 21, 1929.*

Mr. R. V. BRAY,

Farmers' Produce Exchange, Beaufort, S. C.

DEAR MR. BRAY: Senator BLEASE has your letter of January 19 relative to the Federal Land and Intermediate Credit Bank of Columbia, S. C.

The Senator is not fully clear as to your statement or question, "How legitimate, honest, working farmers in our section can compete with operation of farms by the Federal intermediate credit bank, Columbia, S. C."

Do you mean that the intermediate credit bank or that the land bank is actually operating or leasing or renting out farms in your section? If so, the Senator will appreciate your kindness very much in furnishing him with affidavits to this effect, as the information would be valuable and important in his fight.

With assurances of the Senator's esteem and good wishes, I am

Very respectfully,

JOHN D. LONG, *Secretary.*

FARMERS' PRODUCE EXCHANGE,
GENERAL OFFICE,
Beaufort, S. C., January 26, 1929.

Senator COLE L. BLEASE,
Washington, D. C.

In re: Letter John D. Long, secretary, January 21, 1929.

MY DEAR SENATOR: With further reference to the above and my letter of the 19th, Federal intermediate credit bank activities in this section.

In the last paragraph of Mr. Long's letter he suggested that I furnish you with sworn affidavits in reference to the above.

It is matter of record at the courthouse in this county that the Federal Intermediate Bank of Columbia has foreclosed, more than two years ago, on the property of one James R. Bellamy. It is also a matter of record that Mr. Bellamy does not own one cent's worth of property, but in spite of this, in 1928, he operated to full capacity a farm of more than 200 acres, the said acreage the property of the Federal intermediate bank, formerly Bellamy's, and every penny to cover these operations was furnished by the said intermediate bank and without any security whatsoever.

Likewise, this year 1929, he is carrying on the same operations in the same manner, being furnished from the same source, and using the same lands as heretofore.

In addition to this, it is also a matter of record that the farm of one E. B. Mitchell, of Lobeco, S. C., 12 miles north of Beaufort, was also taken over by the Federal intermediate bank, said farm being one of the best in the county and containing some 600 or more acres now.

Mr. Bellamy informed the writer some weeks ago that he had been instructed by the Intermediate Bank of Columbia to take charge of and operate this last-mentioned farm of E. B. Mitchell's under the same condition as he has operated the other bank farm, and the writer knows from his own observation that these lands have been plowed and is now ready for seed. Just what acreage is going to be planted on this farm the writer would not like to state, but in the next three weeks I can furnish you with facts as to acreage actually planted on the last-mentioned farm and affidavits, too, if necessary.

Now, Senator, we farmers of this section do not feel we are receiving a square deal from our Government when they go into the trucking industry in competition to us, especially inasmuch as they advise against overproduction, and we appeal to you for relief.

Feeling that any assistance you can render us will be gladly and willingly given, want to thank you in advance.

I ask that unless it becomes necessary that you withhold my name, but at the same time please understand should you have to use my name, then do so.

Cordially yours,

R. V. BRAY.

[Extracts from communication received from secretary-treasurer of a national farm loan association]

RAISING ILLEGAL LIABILITY LIMIT MEANS EXTORTIONATE PRACTICES

As you may well know by this date, there has been going on throughout the country a united effort on the part of members of the Federal Farm Loan Bureau, working through their appointees, the officers and directors of the district Federal land banks, a campaign to secure the indorsement on the part of the local national farm loan associations of an increased liability limit above that provided in the act by Congress. If this method is effected, it means that hundreds of millions of dollars will be saddled onto the farmers as individuals or as members of these associations instead of being spread, as the law clearly provides, throughout the 12 banks.

FARM FINANCE THREATENED WITH USURY

Since Congress established an upper limit at which money may be loaned, as well as the maximum limit of liability which any farmer borrower would assume, namely, 10 per cent of his loan, it is very evident that it was the intent to avert the very hardship which the Farm Loan Board now imposes in carrying on this secret campaign.

Their purpose is plain. It is well known in financial circles, particularly in the ranks of the staffs of the land banks and associations, that a great crisis, which borders closely on a national scandal, now lurks behind the scene, as it has for many months past. Two or three of the Federal land banks are so near bankruptcy and failure that it is delicate to even mention this fact in certain circles; this is a fact in spite of the paid propaganda which certain members of the Farm Loan Board have either themselves issued or had lackies on Washington newspapers print for them. If this were not the instance, why should they secretly endeavor to secure indorsement by any association of farmers to an increased liability limit than provided by law, which is illegal and usurious and far in excess of that provided by Congress? If they have nothing to fear, why is it that they seek the dark corners and work in dank cellars instead of getting up and out into God's sunshine? Why is it that such men as Farm Loan Commissioner Eugene Meyer gives out to newspaper men statements that he has "cleaned up" the system "quietly," when he well knows that at the same time his appointees are rushing up and down the land endeavoring to frighten and browbeat local farm organizations into accepting a plan which the farmers well know is not to their interest and which, if imposed, will work a real hardship upon the farmer and the agricultural industry as a whole? Why these and other conditions which everyone conversant with the system knows to exist?

LEGALIZED HIGHWAY ROBBERY WOULD FOLLOW

Prior to either the House or the Senate enacting the Federal farm loan act, in 1916, it is well and generally known that exhaustive investigations were carried on both abroad and at home. Scarcely a sentence was permitted to enter that original act without hours, nay, weeks, of thoughtful consideration. No parts received greater attention than those divisions which have to do with safeguarding the interests of the farmer and farming industry the Congress sought to serve in this manner; no part of the act was so thoroughly discussed pro and con as the rate of interest to be charged, the amortization limits, and the liability limits which borrowers would receive and assume. The section which alludes to this legalized limit of liability is the crux of the whole act; upon this the Federal farm loan system rests, whether a chariot of destruction or an army of service.

Just as each individual farmer is legally forced to assume and pay for shares of stock in the system to the extent of 5 per cent of the amount of his loan, or $50 per $1,000 borrowed, so likewise, to safeguard the system, he is, under the same process of an act of Congress, forced to assume a liability equal to not exceed 10 per cent, or $100 per $1,000 borrowed.

It would be exactly as reasonable for the members of the Federal Farm Loan Board to now pretend to secure indorsement of the banks and the associations to a proposed plan to force every new borrower to purchase $100, instead of $50, per $1,000 as capital stock, as it is now for them through some foxy manner to secure an amended agreement for the farmer to assume a greater liability than imposed under the sections of the farm loan act. If they continue to carry on in the same manner they have in the past, they have ample brass and audacity to endeavor to do this, but they have not as yet enforced their illegal impositions as regards liabilities.

ILLEGAL PROPOSED AGREEMENT

As is well known, in recent months, certain Federal land-bank officers have transmitted through the United States mails, addressed to officers of national farm-loan associations, a proposed amendment for the organization to consider and adopt, which would increase the liability assumed far above the legal 10 per cent limit. With this plan I neither concur nor shall become party to; it would constitute legalized highway robbery of the rankest type, while parading as a servant and helpmate of farmers.

As you probably realize, until quite recently, as per the provisions of the farm loan act, losses incurred by Federal land banks, whether as the result of mismanagement on the part of their directors and officers, or giant contributions to fiscal agencies, or contributions to sustain and feed the members of the Farm Loan Bureau, or as the result of foreclosure of farm mortgages—all this was and should be paid from the proceeds of the bank, associations to bear equal proportionate share.

UNFAIR ASSESSMENT OF LIABILITIES

However, if the proposal of the Farm Loan Board and of the various Federal land bank officers were effected, as the politicians hope and pray, this burden would be unjustly and unequally vested upon certain parties not intended to come within the scope of the act.

For example, there are two Western States. For many months past all the farmers of the land bank district have been obliged, under the legal workings of the farm loan act, to contribute excessive sums, either directly or in the form of reduced participation dividends in the earnings of the land bank, as the result of one farming State's agricultural industry being on the rocks. There was no serious complaint of doing this obviously legal liability assuming on the part of anyone. There were strong and urgent complaints that the officers of the land bank—hand picked by the Farm Loan Board—did not do everything they might to relieve the situation and did not exercise the best business judgment in face of a crisis. But no one complained of paying the bill of their mismanagement. We simply charged that off as part of belonging to the system.

The land bank, not the farm loan associations of that State, was held financially responsible for the losses incurred in that State. Had those associations paid their own bills out of their own tills, they would have been defunct long since. But we all helped them to pay, assuming our liability on the legal basis of 10 per cent of the amount of our loans.

Now, times are very poor in our own district. Our farmers now feel the bite in the rope of financial shortage and crop failure. The jest is that the State we helped out is not as yet on its feet and can not help us in our hour of need. Not only must we carry our own load, but theirs as well. But that is contemplated and provided for in the farm loan act under the mutual measure which makes farmer borrowers brothers, bearing each other's burdens.

In face of the fact that Congress established the utmost upper limit of liability which any farmer borrower could assume, officers of the land bank recently prepared and submitted to the associations a plan which calls for the local associations and farmer borrowers assuming liabilities far in excess of that 10 per cent legal limit. Invoked, it would constitute wholesale usury. However, this is the plan the land bank asks us to sign, and I understand that the Farm Loan Board is not content with it and that they will submit still another which would work even more real hardship upon the farmers.

WHOLESALE FORECLOSURES

Last May I read with great interest the subject matter placed in the RECORD from Mr. Putnam, of Harmonsburg, Pa., with reference to foreclosure methods resorted to in certain land-bank districts, and his mention of the wholesale campaign of taking farms away from farmers.

Well, we have more than 300 such farms in this district now, which represent a liability against each of the associations. Deficiency judgments now entered against the associations by the land bank aggregate about $20,000. This is an average of nearly $600 per judgment. If spread out over the more than 300 farms, it represents about $52 per farm. The farms taken over represent a total valuation of approximately $1,500,000, or average about $5,800 each. As we have seen, under the legal status of the farm loan act, as provided in the act of Congress, the sum that each of the associations would be required to assume to remit these losses would not exceed about $52.

Now, let us consider, contrasted with this legal plan, the illegal and usurious plan suggested by the Farm Loan Board and the officials of the Federal land bank.

Slightly more than one-third of the 300 farms have been sold on the auction block to date. The disposal of same represented a total loss to the land bank and to the associations of more than $65,000, or an average loss of about $640 per farm foreclosed upon. If we work under the legal plan of assuming our share of the losses on the basis of not to exceed 10 per cent of the loans, which Congress provided, and these are equalized over the land bank district, it means that we would assume only $52 as the upper limit of the loss, but if we adopt the plan suggested by the land bank and Farm Loan Board we would assume losses aggregating $640. What that five hundred and ninety-odd dollars would mean if kept in the pockets of the farmer few can realize unless they are on intimate terms with the farmer and his family. It means the difference between an education for the boys and girls, clothes for father and mother and children, a living instead of an existence for the entire family.

However, our land bank officials still have some 200 farms to dispose of. How great the mounting losses will become, no prophet would be bold enough to proclaim; but it will be large enough to demonstrate their administration as a flat failure. It should be noted that the president of this bank holds his position only because of political pull, against the wishes of the farmers and associations, and is forced down our throats by the present Farm Loan Board. He is recognized as unfit for any position in the bank, and has been accused and never denied, dishonest acts on many occasions. In fact, he kept on the payroll of the bank officers who had confessed to illegal manipulations, long after they had confessed—this long after the farmer-elected directors had protested.

MISSTATEMENTS AND TWISTED PRESENTATION

Certain officers of the joint-stock land banking system have been prosecuted and given prison sentences for using the United States mails in an improper and fraudulent manner. It should be noted that this was done at the instance of the members of the Farm Loan Board. Whether justice was meted out or not, I can not say.

However, I do not think officers of the land bank have misused the same mails in transmitting to associations a fabrication of misstatements relative to this proposed amended liability agreement. In view of the fact that it would aggregate a considerable sum of money, whether we were to consider it from the standpoint of individual associations, or from a nation-wide standpoint, it therefore seems, constitutes fraudulent use of the mails. A monetary value would be secured with which land bank and Farm Loan Board members would be able to cover up the large losses resulting as a direct aftermath of their mismanagement.

Not only did land-bank officials use the mail to transmit untruths, but their traveling representatives did so in addresses. For example, one of their lawyers, questioned before a conference of association officials, as to the association, would be liable for the full amount of foreclosed loans, replied they would not. Experienced title attorneys present, who has investigated the matter, quickly replied that the attorney of the bank had stated an untrue reply, and that the association, by signing the proposed agreement, would not be released, but be held tightly to suffer excessive share of the losses resulting. This is only one of several examples that might be stated to reveal the double-dealing methods resorted to in the present campaign to "save the faces" of the political manipulators of the loan system.

Below I hand you a copy of the proposed agreement sent to our association by the officials of the Federal land bank, which I am advised is quite similar to that transmitted through the mails to associations in other parts of the country, in the nation-wide campaign of the Farm Loan Board:

(The usual legal paragraphs head the agreement, which then continues:)

Witnesseth:

That whereas, under the provisions of section 25 of the Federal farm loan act as amended, said association is liable for the payment in cash or by the substitution of an equal amount of Federal farm-loan bonds of any unpaid balance on any defaulted loan indorsed by said association and held by said bank under the provisions of said act; and

Whereas the amount of this liability has heretofore been determined at the time of the sale of property on foreclosure by crediting the sum for which the property sells at foreclosure sale on the judgment, the unpaid balance of the judgment, if any, being entered by the clerk of the court as a deficiency judgment against the associations; and

Whereas experience has shown that property at foreclosure sale seldom brings the amount for which it might be sold if the sale were not forced, and for that reason the sum entered as a deficiency judgment against the association does not truly represent the loss to the bank; and

Whereas the true measure of the loss to the bank in cases where the bank acquires the property is ascertained at the time of the sale of the property by the bank after foreclosure; and

Whereas the docketing of the deficiency judgment against the association is a source of embarrassment to the association and an impediment to the business of said association in procuring applications for loans to be made by said bank, because prospective applicants are unwilling to assume a stockholder's liability incident to membership in said association when there are unsatisfied judgments of record against the association:

Now, therefore, it is agreed by and between the parties hereto that it shall not be necessary to join the association as a defendant in the foreclosure of any loan indorsed by it in order to fix its liability but that until such time as the bank disposes of the property, whereupon the association shall be credited with the sum for which the property is sold, and the association shall be liable to the bank for any unpaid balance.

ILLEGAL LIABILITY LIMIT IS ESTABLISHED

It is further agreed that where the bank takes title by deed in order to avoid foreclosure, either directly to the bank or by deed to the association, that the association shall remain liable as indorser for the full amount of the loan until such time as the bank disposes of the property, whereupon the association shall be credited with the sum for which the property is sold and the association shall be liable to the bank for the unpaid balance.

The association agrees that where any property subject to mortgage has been conveyed to the association that the association will, upon request from the bank, convey it to the bank.

THE ASSOCIATION HOLDS ALL OF THE BAG

The association agrees that the extension of time of any borrower or borrowers upon obligations which are indorsed by the association shall not release the association as indorser, and that all extensions

shall be deemed to be granted at the association's request and for the purpose of protecting the association in its indorsement, and that the liability of the association shall not be terminated thereby, nor shall any notice to the association of such extension be necessary. The notices to the association, as provided for by section 25 of the farm loan act, are hereby expressly waived.

WHY IT IS ILLEGAL

From a casual reading of the above-proposed agreement it is obvious that the association would assume a liability far in excess of that provided by act of Congress, and the specific statement is made in the last sentence above that the association waives the protection thus provided.

It is equally obvious that this constitutes an illegal method of carrying out the business of the Federal farm loan system, and which one would scarcely expect the supervising officers to become partners to, even in their present hour of saving a wrecked farm loan system.

PROHIBITION PARALLEL

Congress has simply been smoking, so hot has its Halls been, with recent prohibition discussions. To select a popular parallel let us assume that the present staff of the Prohibition Unit were to mail people in all States an amendment to that act which would legalize the use of alcoholic drinks possessed of several degrees more "kick" than at present established in the act. Would that be considered either legal or ethical?

Or suppose that the Federal Reserve Board were to submit, through their branch banks the suggestion that national-bank members of the association were to assume liabilities in excess of that established by law. Would such a campaign be carried on quietly, secretly, while the head of the system was handing out propaganda to the effect that "everything is quiet and prosperous along the line"?

UNJUST TREATMENT OF FARMERS

Only farming is called upon to suffer under such political mismanagement of its financial affairs. Only during such transactions—shady as they are—are Senators able to remain quietly seated and not even consider the advisability of an investigation for the purpose to correcting the ills that now, as long since, beset the Federal farm loan system.

Had Senator BLEASE's proposal to investigate the system been carried out last May this might have been averted. Farmers might have been saved the untold millions they must now pay. It is worthy of note that the land banks made no move to suggest the illegal liability limit until after the Senate had adjourned and the Senate Committee on Banking and Currency had properly killed the proposed investigation. Another Teapot Dome subject for future historians to set down in nasty colors.

[Extracts from circular distributed to farm organization leaders]

THE COMING SCANDAL—THE STORY OF A GREAT FARM TRAGEDY

A huge political intrigue that is actually being faced to-day in 476,000 American farm homes and that is likely to be suppressed to-morrow by the secret bureaus in Washington because it tells the truth.

If you want the inside secrets of the great farm problem, read The Coming Scandal, by Xeno W. Putnam, Harmonsburg, Pa. Price 50 cents, postpaid.

$1,161,248,120 IN FEDERAL FARM LOAN BONDS

Issues by 12 land banks have been advertised and marketed, in part through the United States mails, as based upon first-lien mortgages against farm property worth at least double their face. The mortgages that underwrite $385,000,000 of these bonds, issued by 4 Federal land banks, and for which the 12 land banks are responsible, are not first liens.

Wherever bonds that have been issued against them have been sold as such they have been fraudulently sold and the money taken for them has been obtained under false pretense.

The whole story of this fraud and the official proof of it is told in The Coming Scandal.

While avoiding a congressional investigation, the ex officio chairman of the Farm Loan Board recently stated that he knew of nothing materially wrong with the land banks. Within his term of office two land-bank cashiers have committed suicide; there have been confessed defalcations; a dead loss to one land bank of $1,300,000 has been disclosed by the farm loan commissioner to the House Banking and Currency Committee; $8,000,000 foreclosures face another land bank; the 12 land banks are now water-logged with some $16,000,000 of farms taken over.

For the benefit of agriculture the Sixty-fourth Congress in 1916 passed the Federal farm loan act.

For the benefit of their own confederates bureaucratic politics passed an amendment which canceled in many parts the one enacted by Congress.

One hundred and twenty-eight thousand farmers, in 10 States, have been sandbagged by the pseudo law out of almost $23,000,000 in farm equities, which, under every right of property, belonged to them absolutely, and 10 States were defrauded by that amount of agricultural working capital to which, by every legal right, they were entitled.

Just how this was done, and how the fraud has been made continuing in spite of the heavy penalties provided in the congressional law, is fully explained in The Coming Scandal.

To administer and protect their new farm banking system, Congress created one more Federal bureau, equipped it with its official machinery, and fixed the salary of all its important officers. But bureaucratic politics soon created a new executive, over the heads of Congress and the President, at a salary greater than the Federal Government pays the Chief Justice of the United States Supreme Court or any Federal officer, the President alone excepted. And the farmers are compelled to pay that salary—the 476,000 farmers who have borrowed money through their own banks. They are still paying it.

The Coming Scandal tells exactly how this was done and who did it. It also tells who is getting that salary.

$1,275 REWARD

And all expenses will be paid for breaking up a home that now belongs to an industrious farmer, for scattering his family, for sending his boys to the gang, and his daughters to the streets.

The above reward is now posted in more than 750 courthouses in 10 States by the direction of a Federal bureau. In some of these the reward has been doubled. In all of them the requirements are the same.

Has such a reward been posted in the courthouse of your county? For the wrecking of your home? The Coming Scandal will tell you if you wish to know.

A REWARD FOR FRAUDULENT INSURANCE—LEGITIMATE POLICIES PENALIZED BY LAND BANK ORDERS

The Federal farm loan act entitles a farmer to a loan up to 50 per cent of the value of his land, plus 20 per cent of the value of his buildings.

Some of the land banks require that an insurance policy be carried upon the buildings equal to the total loan upon buildings and land.

You may get a full legal allotment of your loan if you can obtain an insurance policy on a fraudulently high valuation, and can get away with it. Otherwise, you can go to prison or with only a fraction of the loan to which, under the act, your property is entitled. The Coming Scandal gives the facts and the proofs complete.

WHY?

On 28 days within the last 11 weeks of the congressional session which closed on May 29, 1928, the Federal farm loan system held the Senate floor from a few minutes to as many hours each day.

It cost the Government more than $5,000 just to print the report of this determined effort to force an official investigation of the system in the CONGRESSIONAL RECORD.

What the desperate attempt of the secret powers to resist this investigation cost and how much of the expense was paid out of the farmers' land banks is another matter.

With a very few exceptions not one mention was made of this desperate fight in behalf of, and against, the farmers' banks by that boasted sponsor of liberty and fearlessness, and freedom of speech—the American press.

Only a handful of the 333 farm publications, with a claimed circulation of some 27,000,000, told their people of Senate Resolution No. 167, or of what a secret bureau was doing to their land banks.

That silence cost the farm loan members (the farmers) more than $1,500,000 in foreclosures; it burdened agriculture with a few hundred more abandoned farms; it broke up homes, perhaps sent a few discouraged sons of the soil to the gangs and farm daughters to the streets; it crowded still more into the ranks of the great army of unemployed job hunters in the back yards of industry. Perhaps it cost some of the land banks a few of the rewards they had posted.

Wouldn't you think it worth while to know about these things and the remedy for them if you knew that this was soon to happen to your home? The answer is in The Coming Scandal.

DID YOU EVER WONDER WHY POLITICS

For the past eight years has been earnestly talking in behalf of farm relief and is still just talking?

Why Muscle Shoals, with all of its endless fertilizer possibilities for the farmer, has thus far only produced a harvest of barren regrets in the garden of great expectations?

Why Boulder Dam, with its immense opportunities for power achievement, never has been permitted to reach the achieving stage?

Why the Federal farm loan system takes the cleanest of its service out of such vile-smelling pork barrels?

Why farm loan officials conceal their accounts and records from their own stockholders as though the first belonged to America's secret service division in time of war and the second to her bitterest enemy?

Why the annual reports of the Farm Loan Board to Congress are now suppressed until the adjournment of Congress, even though they are announced as ready months before?

Why so many suicides among land-bank officials, so many defalcations, so many millions of losses, so many foreclosures, so many abandoned farms taken over, so many lapsed dividends, and so much secrecy about the dividends waterlogging the system, if everything is as good and prosperous as its officials announce?

Why it is not permitted any friend of the system to offer constructive criticism without being branded a sworn enemy to the system and a traitor to the farmer?

THE COMING SCANDAL

Answers all of these questions and it tells the remedy. The writer speaks from the knowledge gained by six years of determined and very much obstructed research, and he gives you official proof of his statements.

His inquiry began both in faith and friendship for the system. It has continued in friendship for it and in the sustaining faith that it may yet be saved.

WHAT'S WHERE

In a recent circular announcement of The Coming Scandal the writer promised that the book would establish the following reasons why the public should demand and should be given a complete investigation of the Federal farm loan system, doing business and with the public.

First. That more than $1,000,000,000 of farm loan bonds have been sold to the public under false pretenses; that these bonds are not entirely secured by first lien farm mortgages; that more than $350,000,000 of those mortgages are not first liens.

For the keeping of that promise see Chapter II.

Second. That 128,000 farmers in 10 States have been forcibly robbed of $23,000,000 in good commercial credits by four land banks with the official sanction of the Federal Farm Loan Board.

Chapter II also covers the keeping of this promise.

Third. That the ex-officio chairman of the Federal Farm Loan Board, and a member of the President's Cabinet, during a recent effort of the board to prevent investigation, stated that he knew of no unusual condition existing in the banks; that at the time that statement was made board members knew of losses amounting to millions, of embezzlements, of account juggling, of conditions that have led to suicides, to resignations, to indictments, confessions, and imprisonments.

The promised evidence of this will be found in Chapter IV.

Fourth. That a $1,275 reward has been publicly posted by four land banks and the Farm Loan Board for the breaking up of families and homes.

Read Chapter XIII for this and reread Chapter II.

Fifth. That rewards for fraudulent fire insurance policies have been offered by land banks and with Farm Loan Board authority. That honesty among borrowers has been penalized by these land banks and boards.

Chapter III gives the evidence directly from official records and literature.

Sixth. That farmers who are in debt have been compelled by a political trick, arranged by the land banks and with the board's sanction, to pay a higher salary than the United States Government pays to any officer, the President alone excepted. That Members of the Congress, which had itself fixed the salaries, have declared this one wholly unauthorized and unnecessary.

Flappers of the law, Chapter IX, tells how this was done and who did it.

Seventh. That invisible government has hushed the press and kept the knowledge of gigantic frauds from the knowledge of the people.

The story of this appears in Chapter VI.

Eighth. That the silence has been costing the people millions of dollars in money, in criminality, in congested employment channels, in ruined homes, and in abandoned farms.

Read Chapter VIII if you wish to know.

Ninth. That farm loan officials have been protecting embezzlements and robbery of the farmers with fraudulent bank examinations, concealed banking accounts, threats, public indorsements, suppressed reports, and jumbled figures.

Read Chapter V for the evidence, and also Chapter VI.

Tenth. There are several other charges not made in the circular—and the remedy.

Read all of the other chapters and find the whole of them, then write and tell your Congressman, or the author, whether you think an investigation of the Federal farm loan system is needed.

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[Extract from Kansas City Weekly Star]

URGE LAND BANK PLAN—REORGANIZATION OF INSTITUTION HERE BEFORE BOARD THURSDAY

WASHINGTON.—Approval of a plan for the reorganization of the Kansas City Joint Stock Lank Bank, which has been in a receivership since May 4, 1927, will be sought here Thursday from the Federal Farm Loan Board.

Massey Holmes, of Kansas City, attorney for the bondholders' protective committee, and Herman Langworthy, receiver, arrived here Monday to prepare for the hearing. Walter S. McLucas, of Kansas City, chairman of the bondholders' committee, and others interested in the reorganization, will arrive later in the week.

The bondholders' committee will submit the plan for the reorganization of the bank formerly headed by Walter M. Cravens. The stockholders also will be represented at the hearing.

"If the plan is approved," Mr. Langworthy said, "the Kansas City bank will be reorganized and continue to operate."

[Extract from address delivered in United States Senate Chamber by CHARLES CURTIS, of Kansas]

CHARLEY ALWAYS IS RIGHT

Under the syndicate arrangement adopted for selling farm-loan bonds it looks as if brokers get the premiums and that the land banks are getting no particular advantage from the tax exemptions of their securities.

LET FARMERS RUN THEIR OWN BANKS

Would it not therefore be better to let the farmers themselves manage these banks exactly as the law intends? The only change necessary for this would be to give the farmers the entire responsibility for the system and oblige them to operate on their own unquestionably good credit.

IT IS THE SECRET OF SOUND FINANCE

This is the secret of the soundness and success of innumerable borrowers' banks of various kinds, among which failures are rarer than among ordinary banks. The 65,000 cooperative credit societies, with 15,000,000 members and $7,000,000,000 of annual business in the world, are based on this idea of using their own credit and of imposing upon members a liability that is either unlimited or else severe enough to be felt. The cooperative bank with unlimited or limited liability has proved its worth wherever tried, in country, town, or city, for encouraging thrift and extending credit in large or small amounts.

IT WORKS EVERYWHERE BEST

The same idea prevails in all true building and loan associations among the 7,269 with 3,858,612 members and $1,769,142,175 assets in the United States. Any member getting a loan must subscribe for shares up to its full amount. His payments are made not on the mortgage but on the shares. When the shares mature he may turn them in and have his debt canceled. The maturing of the shares depends upon his payments and also upon the association's profit and loss. All his credits could be wiped out by a loss, consequently he is liable to the full amount of his mortgage. Profits would hasten the extinction of his debt; and so he is as deeply interested as are nonborrowing members. As a result these associations can operate even on savings with safety, although the borrowers participate in the management.

THE GERMANS DO NOT HAVE POLITICAL WET NURSES TO RUN THEIR LAND BANKS

The landschafts, started 150 years ago, are composed entirely of borrowers. They now number 23, with about $1,000,000,000 of bonds; and none of them ever defaulted an obligation. The borrowers elect all the officers and appraisers, every one of whom must also be a borrower. The borrowers' payments go into a sinking fund, in which the cash on hand, together with the unpaid principal of the loans, must equal outstanding bonds. If this fund becomes impaired in the old landschafts, any member may be assessed without limit for the deficiency. In some of the newer landschafts the liability is limited to the mortgage or some portion of it. But the basic idea in all is that the borrowers have the direct management, use their own credit, and assume liability large enough to be felt.

Nearly all American districts established under State laws for sanitary, mining, or agricultural drainage embody landschaft features. Their bonded indebtedness amounts to millions of dollars. The bonds are not instruments of the State or Federal Government. They are obligations only of the districts. But through the district's right to levy assessments they are secured by the collective ability of the owners of the benefited property and so are easily marketed at reasonable interest rates, although these beneficiaries of the issue also elect the managers.

With these successful instances of borrowers' banks here and in foreign countries, Congress should not hesitate or delay in placing the Federal land banks under the management and the responsibility of the farmers. By so doing the farmers, and not rich investors, would get the advantage of all premiums on the bonds.

[Extracts from letter from a secretary-treasurer of a farm loan association]

NEITHER SAFE NOR VERY HAPPY!

The Farm Loan Board is now carrying on a national joke contest. They wish to know whether farmers are "safe or sorry." As for the first, surely they are not overly safe if they depend upon the present type of political manipulators to safeguard their interests any more than the folks are who have dipped into their pockets and bought more than $1,500,000,000 of the bonds issued under the direction of that board. Most of the farmers are terribly sorry that they ever got into the system, and they are in more an even sadder time unless Congress steps in and helps them out. This is the crying child of the new era of "farm relief." Already the farmers have been "relieved" too severely by the politicians; now for a piece of real farm relief by putting the land banks into the hands of the farmers, who now fully own them.

If you can read the following advertisement which land bank officials are running in farm papers without breaking into a smile, you are as hard as flint:

"SAFE OR SORRY?

"It hurts to lose hard-earned money. Better to take a conservative return in interest than to risk the principal. Thousands of farmers appreciate the stability of income, marketability, ready collateral, and tax exemption of Federal land bank bonds. Interest is paid twice yearly. The public, including farmers, have expressed their confidence in these bonds by purchasing more than a billion and a half dollars' worth in the last 12 years. They are mutually guaranteed by the 12 cooperative Federal land banks, which have capital, legal reserve, and undivided profits in excess of $80,000,000.

"TO FIT ANY POCKETBOOK

"Federal land bank bonds are issued in denominations of $40, $100, $500, $1,000, $5,000, and $10,000. They can be turned into cash upon short notice and are excellent collateral upon which to borrow.

"Price and current rate will be gladly quoted upon request to the nearest Federal land bank."

Even Will Rogers, the famous wit, would not be able to go this bunch one better, for they open right up by saying that "It hurts to lose hard-earned money." What sort of a joke are they trying to play on the thousands of farmers who are now, as for months, nay, years past, lost money by having their land banks run by politicians instead of the rightful representatives, selected and elected by the farmer owners.

My, but they do play up that "Legal reserve and undivided profits in excess of $80,000,000"! Wonder what the real facts would be if they paid up the losses they have suffered by reason of foreclosure of farm mortgage and mismanagement of their officers?

The land banks have went and hired themselves a jokesmith!

But they can't get much of a laugh out the farmers they have served (?).

[Extract from a farm owner who foresees critical days ahead for agriculture if financial agencies are not kept free from domination of politicians and centralized administration]

THE MENACE OF THE MONEY MASTERS

Fluid finance, placed in the hands and under the control of men of honest vision, may well become a blessing to mankind; if vested under the control of selfish interests, the opposite may easily become a great menace.

Let us consider, for example, the present control of money in the United States. Appearing in the Sunday New York Times, there was recently a financial statement that boasted of the fact that "284 banks hold 73 per cent of the total deposits." In part, the article said:

"There were at the close of 1928 approximately 23,000 commercial banks in the United States, with total deposits of $36,750,000,000. Of these banks 284 had deposits of $20,000,000 and upward, with aggregate deposits of $26,822,752,000, or 73 per cent of the deposits of all.

"These 284 banks, as tabulated by Financial Age, in their order according to their deposit standing on December 31, and compared with their standings one year and five years ago, show the great trend of consolidations into large units. Of the larger banks on the list there are 61 which have deposits ranging from $100,000,000 to more than $1,000,000,000, and 54 which have deposits from $50,000,000 to $100,000,000.

CENTRALIZED FINANCE IS AT HAND

"The banks having deposits of $100,000,000 and upward, of which 24 are in New York City, are as follows, with the deposits—in thousands of dollars:

National City Bank, New York	$1,349,024
Chase National Bank, New York	1,126,782
Guaranty Trust Co., New York	771,825
Bank of Italy Association, San Francisco	698,436
National Bank of Commerce, New York	672,944
American Exchange Irving Trust Co., New York	611,151
Bankers Trust Co., New York	584,088
Continental National Bank & Trust Co., Chicago	536,635
Equitable Trust Co., New York	530,844
Bank of Manhattan Co., New York	463,695
First National Bank, New York	$450,361
New York Trust Co., New York	393,966
Illinois Merchants Trust Co., Chicago	374,541
First National Bank, Boston	351,172
Manufacturers Trust Co., New York	319,130
Bank of America, N. A., New York	317,073
Union Trust Co., Cleveland	310,292
Lost Angeles First National Trust & Savings Bank, Los Angeles	308,078
First National Bank, Chicago	297,941
Central Union Trust Co., New York	297,308
Hanover National Bank, New York	286,513
Philadelphia National Bank, Philadelphia	279,295
People's Wayne County Bank, Detroit	274,205
Corn Exchange Bank, New York	265,259
Security, Trust, and Savings Bank, Los Angeles	263,953
Chatham Phenix National Bank and Trust Co., New York	263,761
Seaboard National Bank, New York	251,578
American Trust Co., San Francisco	249,418
Cleveland Trust Co., Cleveland	242,550
Marine Trust Co., Buffalo, N. Y	216,337
Chemical National Bank, New York	206,281
National Park Bank, New York	191,643
Farmers Loan & Trust Co., New York	191,282
Old Colony Trust Co., Boston	191,000
National Shawmut Bank, Boston	174,042
Bank of New York & Trust Co., New York	160,849
Mellon National Bank, Pittsburgh	157,082
Bank of United States, New York	156,782
First National Bank, Detroit	150,995
Guardian Trust Co., Cleveland	147,186
First Wisconsin National Bank, Milwaukee	146,173
United Security Bank & Trust Co., San Francisco	144,917
Industrial Trust Co., Providence, R. I	143,337
Union Trust Co., Pittsburgh	141,946
Merchants National Trust & Savings Bank, Los Angeles	137,362
First National Bank, St. Louis	137,336
Fidelity Union Trust Co., Newark, N. J	135,516
Manufacturers & Traders Peoples Trust Co., Buffalo, N. Y	132,053
Wells Fargo Bank & Union Trust Co., San Francisco	129,595
National Bank of Republic, Chicago	125,617
Foreman National Bank, Chicago	119,361
The San Francisco Bank, San Francisco	118,630
Anglo & London Paris National Bank, San Francisco	118,380
Atlantic National Bank, Boston	117,355
Public National Bank & Trust Co., New York	115,415
First Trust & Savings Bank, Chicago	115,117
Central Trust Co. of Illinois, Chicago	114,549
State Bank & Trust Co., New York	109,163
California Bank, Los Angeles	107,354
Citizens National Trust & Savings Bank, Los Angeles	103,325
Crocker First National Bank, San Francisco	101,447
Total	17,699,235

The above tabulation clearly demonstrates that, of the 61 banks listed above, the deposits of these institutions equal approximately 48 per cent of the aggregate deposits of the entire commercial banking systems of the United States, both national and State banks.

WATCHMAN, WHAT OF THE NIGHT?

Clearly does this demonstate that Congress should exercise the greatest of discretion in consideration of all financial subjects, and that the crux of solving the muted agricultural problem is that of safeguarding the farmer's finance, since he must needs depend upon the controlled arteries of money for his liquid aid. The Federal farm loan system should be vested in control of governmental supervising agency, or one commissioner, with clerks to assist, and the actual management vested in hands of the directors of national farm loan associations and Federal land banks elected by farmer owners, as are national banks. Otherwise, centralized finance will smother the farmer.

[Extract from Sunday New York Times, January 20, 1929]

NORTH DAKOTA SEES WANE OF SOCIALISM

By Herbert Lefkovitz, editorial correspondent of the New York Times

ST. PAUL, January 18.—North Dakota's experiment in State socialism has almost run its course. It is 14 years since A. C. Townley started "taking around" his typewritten sheets containing the millennial program with which, it was confidently expected, North Dakota would set the example for the world. It is 12 years since a fascinated and excited legislature nailed the seven major articles of faith to the flagstaff of the capitol at Bismarck.

STATE-OWNED LAND BANK SOCIALISTIC SURVIVOR

Now about all that remains are a State bank, which does only a rural credit business; a State mill and elevator, which are the subjects of endless controversy; and a few of the supplementary minor items, such as State hail insurance, State fire insurance on public buildings, and State bonding of public officers. As for the Non-Partisan League, which began as a bipartisan league, it has become merely the name of one faction of the Republican Party in North Dakota.

HANDICAPS OF SOCIALISM OUTLINED BY FORMER LEADER IN HIS VALEDICTORY ADDRESS

North Dakota has just inaugurated a new governor in keeping with the seriousness with which politics are taken in North Dakota. The process there is a little more extended than in most places. There is, of course, the usual weighty address or message of the new governor, but it is also required that the departing chief leave some formal report of his stewardship.

The farewell message of Governor Maddock is an example of the chastened spirit. In 1917 there was no believer so fiery or zealous as Walter Maddock. He was a sort of general whip and floor leader for Mr. Townley. Twelve years later he says:

"I do not consider that the management of the (State) mill and elevator has reached anything like perfection, but great improvements have been made and more can be made, and now, with a better public appreciation of the work being done, it will be much easier to accomplish all that the institution was intended to accomplish. There are handicaps in public or State ownership of any industrial plant that are hard to overcome, and we may look for a bright future when a farmer-owned cooperative organization such as the Farmers' Union has developed to a degree capable of taking over the operation of the mill and elevator with proper State control."

NO "BRIGHT FUTURE" FOR SOCIALISM

The new governor, George F. Shafer, classifies as a conservative. In other words, as an independent voters' association Republican. He has forebodings for State ownership similar to those of Mr. Maddock except that he does not call them a "bright future." North Dakota has been considering how grain storage may be improved in the State.

GOVERNMENT CONTROL GETS THE GATE

Governor Shafer makes it clear that he will entertain no plan for new State-owned elevators. He announces his opposition to State ownership of private business "as a matter of principle." He predicts that "should the State expand its program of State-owned elevators, it would not only result in a greatly increased State debt by many millions of dollars, but it would involve the people in endless political controversy over the questions of management."

DEBTS ARE ONLY BENEFACTION OF POLITICAL MANIPULATORS

The 1915 program is almost a complete ruin. Nothing is left of the State creamery except debts. The grain grading law was twice passed and twice invalidated by the United States Supreme Court. Although the income tax remains, the attempt to apply single-tax principles to farm lands has been abandoned. The project to mine the coal on State lands was postponed and now is forgotten.

POLITICAL BOODLERS WRECK LAND BANK SYSTEM

Adversity overtook North Dakota in the agricultural depression of 1921 and for this and other reasons the State building loan fund is out some $400,000. The State bank, which was to dominate the financial system of North Dakota, and the State mill and elevator, which were to be the nucleus of a great terminal market, continue, but unpretentiously.

It was the original plan to place this ambitious system of State-owned business under commission rule. The legislators, accordingly, created the industrial commission consisting of the governor, the commissioner of agriculture and labor, and the attorney general. With the gradual abandonment of the program, this commission has become almost nonexistent and for several years its activities have been confined practically to operation of the State bank.

NO RESPONSE TO GROWING CRITICISM

In 1925 the most important of its industrial responsibilities was removed when the late Gov. A. G. Sorlie decided that full control should be placed in his hands. The legislature consented to this arrangement, but the affairs of the mill showed no improvement and in 1927, in response to growing criticism, a fact-finding commission was appointed by the legislature to investigate and report on the situation.

INACTION IN FACE TO CRISIS—A STRIKING PARALLEL TO THE HANDLING OF THE FEDERAL FARM LOAN SYSTEM'S POLITICAL SICKNESS BY UNITED STATES SENATE

A special session of the legislature assembled in 1928, received a report from this commission that the mill and elevator had been badly mismanaged, and then adjourned without taking action.

SIMILAR TO THE SENATE, RADICALS WOULD PUT AND KEEP GOVERNMENT IN PRIVATE BUSINESS

Nevertheless there does persist in North Dakota some lingering hope that a great public-owned terminal grain system is yet possible. It is held by the more radical wing of the Non-Partisan League and has caused a well-marked division in the organization.

The Non-Partisan League is the left wing of the Republican Party of the State, but it also has divisions to the left and right. The more conservative group, as represented by the Farmers' Union of North Dakota, is in alliance with Governor Shafer to oppose this idea.

[NOTE.—The President to be has said much about bureaucratic forms of government, as especially related to his forthcoming administration, most of which is true. What will he do about the most striking illustration of all—the Federal farm loan system—whereby hundreds of thousands of farmers have had their own capital stock taken away from them and their 12 Federal land banks operated by the political puppets of Mellon, Meyer, et al.? Will Herbert Hoover do more than talk about this? Other Republicans—Harding and Coolidge—said a great deal, but did even less when given the opportunity of correcting the criminal methods of their own unfaithful appointees. However, the following extracts from an article printed in the Sunday New York Times of January 21, 1929, may show what Hoover really thinks (when speaking for publication), even though it does not forecast what he may do when Mellon dominates the Treasury Department's illegal confiscation of farm-owned land banks.]

[From Sunday New York Herald-Tribune, January 21, 1929]

HOOVER IS AGAINST "BIG BROTHER" IDEA—POLICY OF INTERVENTION WILL NOT PREVAIL HERE, HE TELLS ARGENTINE ECONOMIST—DISAPPROVES BUREAUCRACY—WARNS OF DANGERS OF GOVERNMENT CONTROL

Herbert Hoover is quoted as having disapproved of the "big brother" idea among nations and as having warned of the dangers of intervention and of bureaucracy in an interview with Alejandro E. Bunge, Argentine economist and engineer, who talked with the President elect on his visit to Argentina.

He quotes Mr. Hoover as follows:

"The importance of social experiments in a nation in development, such as ours, is illustrated by the examples of interventions of the Government in the public services and in the industries in the United States, or their systems of education or the manner of recruiting leaders in creative economic action."

Señor Bunge quotes Mr. Hoover as having said that the experience of the United States in connection with governmental control of industries was a complete failure, particularly in the case of Government operation of railroads. The interview continues:

"Our experience regarding the intervention of the State in the public services and in industries was extended to other countries. Will it not be advantageous for them and for those which have not yet made such experiments to know that the result of ours was a complete failure?

BUREAUCRACY CRUSHES INDIVIDUAL INITIATIVE

"Bureaucracy creates a spirit of submission in the daily life and penetrates the spirit of the people, not with the manner of a strong resistance to what is bad but in the manner of a timid acceptance of an irresistible power. In addition, competition is incompatible with bureaucracy because the former exists only in a free atmosphere of action and reaction. And without competition there is no progress in creative business. New methods, new ideas, are a projection of a spirit of adventure or of individual initiative and of individual enterprise; without adventure, without risk, there is no progress. No governmental administration can undertake risks with the money of its taxpayers.

OTHER TASKS FOR GOVERNMENT

"Among the examples of governmental incompetence to direct business which our country has to offer few are perhaps so eloquent as the history of our railways, facts already universally known. Bureaucracy endeavors always to develop its influence and its power until it converts itself into the master of the souls and of the thoughts of the people.

IF THIS BE TRUE, TURN LAND BANKS BACK TO LEGAL OWNERS—THE FARMERS

"In my country everyone now considers it obvious that it is not a function of the Government to administer industries, but that there are a thousand other tasks for it: To compile and distribute economic information, to investigate economic and scientific problems, indicate the road to progress, and inspire and aid the industrialists in the reduction of bad methods and of waste in the use of raw materials.

FOR DIVERSIFIED LEADERSHIP

Mr. Hoover is then quoted by Señor Bunge as having said that the new era just beginning was one undoubtedly of "industrial self-government"; also as having said that there was nothing more pernicious for a society than to recruit its leaders from a single governing social group.

WOULD PROTECT FARMERS FROM POLITICAL LAWYERS OF FEDERAL LAND BANKS

On page 4476 of the RECORD, March 12, 1928, was published the shameful story of the illegal and confiscatory method employed by Federal land banks, with the consent and knowledge of the supervising Federal Farm Loan Board, whereby millions of farmers had been made to pay extortionate fees when being moved off their farms. This was the result of an exhaustive survey made by Xeno W. Putnam, Harmonsburg, Pa., former secretary-treasurer of the Crawford County (Pa.) National Farm Loan Association, which he founded, and which he has endeavored for the past few months to free from the grip of the fee-grabbing attorney who shoves local farmers off farms for the Baltimore Federal Land Bank.

It is of interest to note that at least one State has taken action to free farmers of their extortionate charges, which in many instances have aggregated one-half of a loan of $2,000 to $3,000—or payments of a fee of from $1,000 to $1,500 to the land-bank attorney.

New Jersey is the State that may boast of this honor; and if the proposed mortgage laws are passed, as indications seem ripe now, it will no longer be possible for attorneys of the Springfield (Mass.) Federal Land Bank to wax fat off extortionate fees charged in foreclosure cases as in the past. Thus we see how local State governments are

under the necessity of passing acts to secure simple justice for their people who unfortunately come within the scope of a bureaucratic Federal Farm Loan Board's grip.

[Extract from article appearing in Farm and Fireside, New York]

VITAL BANK FACTS ARE WITHHELD FROM OWNERS

By Huston Thompson, former member of the Federal Trade Commission, in an interview with Mrs. Gertrude Mathews Shelby, specialist in cooperative credit and writer

Farmers who own the stock of the 12 Federal land banks of the Federal farm loan system are worse off than stockholders in any other reputable enterprise in the United States.

OWNERS DEPRIVED OF PROPERTY RIGHTS

In any normal corporation the holder of securities automatically receives by mail an annual financial statement which deals with that enterprise and no other.

Farmers who own stock in the 12 district Federal land banks receive no annual report without solicitation. If they send to the Federal Farm Loan Bureau or the Superintendent of Documents in Washington for information they receive a pamphlet of some 50 pages, addressed, as required by statute, to Congress, not to the stockholders.

[NOTE.—Eugene Meyer, farm loan commissioner, under the orders of Secretary of the Treasury Mellon, made the world's record for long-distance withholding of the annual report last year. It was dated and should have been filed with the Senate not later than January, 1928. However, after the Senate adopted a resolution demanding the report late in May, it was released only after Congress had adjourned. No comment is necessary.]

JUMBLED FIGURES, AND NOT FACTS, STATED

This report contains a consolidated statement of the assets and liabilities of the 12 district Federal land banks, in which the figures are lumped. It does not give separately financial statements showing the exact condition of each land bank, although complete separate statements are necessary to judge the welfare of the system.

Since the farm loan is so organized that the liabilities or losses of 1 bank are in the end the liabilities and losses of the other 11, every stockholder has a right to demand this information. Every investor in farm loan bonds would be protected by such publicity.

EXPERTS CAN NOT UNDERSTAND THE GARBLED FIGURES

This annual report of the Federal Farm Loan Bureau to Congress covers not only the billion and a half dollar Federal land bank system, the 12 intermediate credit banks, but also includes the annual statements of some 50 joint-stock land banks.

All three are discussed in the report to the confusion of any but an expert in farm credits. Even for such an expert or an accountant the information given is wholly inadequate.

FARMER CAN NOT KNOW WHAT IS GOING ON

If this report is not sufficient for such an expert to comprehend, the stockholder on the farm may conclude that he is not supposed to understand it.

Yet here is the predicament shared by close to 500,000 farmers: To get his loan he was compelled under the act to purchase stock in the land bank of this district. This was justifiable because farmer stockholders were guaranteed control. They were not permitted complete self-management as in all true cooperatives, but they were assured the right to elect the majority of the directors of the land bank in which they owned stock.

RIGHTS TAKEN AWAY FROM FARMER OWNERS

In 1923, upon the recommendation of the Federal Farm Loan Bureau, the law was amended. Without the full knowledge of Congress stockholders were deprived of majority control, having thereafter the right to elect only the minority of each land bank board.

FARMERS NOW OWN ALL BANK STOCK

To create the farm-loan system farmers pooled lands worth about $3,000,000,000 as security for half as many loans. They put up hard cash in addition, one-fifth the amount of their loans as capital stock. They assumed liabilities to the extent of 10 per cent of their loans in addition. Yet the dissemination of essential information was not assured, nor were stockholders encouraged to feel that they owned their banks and had free rein in their local farm loan associations.

NOT TREATED FAIRLY LIKE OTHER BANK-STOCK OWNERS

When they became members of the system, bought stock, and received their loans, they were given no certificates of stock. Individually they had nothing except a receipt for money paid to show that they had actually invested in the system.

Upon the advice of the Federal Farm Loan Bureau the local associations generally employed nonstockholders, bankers, or business men as secretary-treasurers. Secretaries were not primarily disposed to make a business of disseminating even such information as they received about Federal farm loan affairs.

The stockholders have been prohibited by the Federal Farm Loan Bureau from supporting out of the funds of their own local associations a national federation through which they could voice organized opposition to anything they considered either a neglect or an abuse of power.

WHEN IGNORANCE IS BLISS TO POLITICIANS

Without the general knowledge of the farmers who foot the bill expenses of the Federal Farm Loan Bureau in Washington have swelled to enormous proportions. If stockholders sent to Washington for the annual report, they would not have found it in this item nor any statement of the expenses of the fiscal agent, his staff, and the offices for which farmers pay rent.

THE FARMER "PAYS THE FREIGHT" FOR THE POLITICIAN'S RIDE

Farmers pay many hundreds of employees throughout the system who are political appointees, yet as stockholders have no uncontested way of finding out what it costs to maintain this huge force, including some 600 appraisers and examiners constantly traveling over the immense districts.

GIVE THE FARMERS A SQUARE DEAL

Under such conditions it may be seen that the importance of information about all and every expenditure is greater than in the case of stockholders in ordinary corporations.

Uncle Sam is morally in the position of trustee for those whom Congress has deprived of power to help themselves.

The Federal Farm Loan Bureau can be a model in the matter of giving stockholders essential information. In language a layman could understand it might render a model service. In this great cooperative credit pool the bonds are all sold through a syndicate. An annual report should provide stockholders and bond buyers with a record of all agreements under which these bonds are distributed. It should furnish a list of the investment houses participating in the sale of each and every issue. It should give the exact report of commissions or bonuses received. A separate statement of the assets and liabilities of each bank should supplement the present consolidated statement in the annual report.

SUGGESTED BUSINESSLIKE REPORT TO STOCKHOLDERS

Additional information should cover the following points for each land bank for each fiscal year:

1. Gross earnings.
2. Deductions: Interest; commissions and expenses of sale of bonds; operating expenses.
3. Net earnings.
4. Disposition of net earnings: Dividends paid; carried to reserve account; carried to suspense account; undivided profits.
5. Dividend rate for each dividend payment.
6. Amount of stock upon which each dividend rate was paid.

PRIVATE CORPORATIONS ADVISE STOCKHOLDERS—WHY NOT FARM LOAN?

Prof. W. Z. Ripley considers the financial and general reports of the United States Steel and General Electric Corporations the best in the country.

Why should not stockholders of the Federal farm-loan system get treatment equal to that furnished by the security holders of these private corporations?

Certainly no right of control or management to which corporations are entitled should be denied to cooperative enterprises capitalized entirely with farmers' money.

EVERY TAXPAYER HAS SOMETHING AT STAKE NOW

So long as politically appointed men run a system which controls a lending power too vast to realize, extending over the entire country, every ordinary citizen has something at stake. If we are to marry political control of lending power, we must guard against the development of the danger of government by secrecy.

[Article appearing in Farmers' National Magazine]

THE SAD STORY OF THE FARM LOAN SYSTEM

No movement in the history of the world was ever instituted with more unselfish ideas and ideals than was the Federal farm loan system when placed upon the statute books of the United States by Congress in 1916. When President Wilson signed that act, he and his administration gave to the American farmer possible freedom from their ancient enemy—financial want. Properly administered, agriculture might have been adequately assisted, as were commerce and industry. The Federal farm loan act was widely heralded as "the American farmers' declaration of independence," since it offered freedom from the intolerable credit conditions and liberation from the shackles of private money lenders, who were exacting as high as 10 and 12 per cent interest and making farm-mortgage loans for only a short term of years with extortionate renewal commissions and fees.

WHAT REPUBLICAN CORRUPTION DID

For the first four or five years, although the Federal Farm Loan Bureau of the Treasury was officered by a majority of commissioners

not even mildly conversant with the needs of agriculture, since they entirely lacked previous contact with the industry—in spite of this handicap they energetically set about establishing the system as contemplated in the act. The fact that they selected as officers of the district Federal land banks men of their own viewpoint, not acquainted with agriculture, soon manifest itself in the failure or utter neglect of the banks to adequately serve farming interests.

Then in 1920 the Harding administration, with its blighting influence, its corruption, and its contravention to American ideals and ideas, was swept into power. By this time the Federal farm loan system was something to brag about, although it had been given to the American farmer by the Democratic administration over the protest, bitter and narrow, on the part of many Republican Congressmen and Senators, yet it was now a great system, holding forth the glittering promise of political patronage. And there were such a vast herd of "worthies" to be paid that this army was soon sweeping down and upon the Federal farm loan system, and many were the gang that became entrenched in soft jobs at fancy prices. The beginning of the end was now in sight.

EIGHT YEARS OF RUINOUS RULE

The Republicans, in eight terrible years of ruinous rule—the Harding and Coolidge administrations—have emasculated this farm credit system, have withheld its full benefits, and have even turned it to uses hostile to the interests of the great basic industry it was intended to serve. This record is not one that patriotic Americans will wish taught to their children; it is one of the sad stories of political plunder run mad, plucking plums from the farmers' pudding.

Under the ruinous administration the Federal land banks were soon obliged to adopt a policy of writing off their books 100 per cent of all foreclosed loans—and there were utterly thousands of these. This policy, in turn, forced a vast volume of land on the auction block; it meant forced sale of farm lands in such huge quantities as to depress land values throughout the country. Had men of vision, intelligence, and a heart been in charge of the affairs of the Federal Farm Loan Bureau, and had their appointees in the 12 district Federal land banks scattered over the country been men of similar experience, this great system might easily have been used to stabilize farm land values. But actually it forced a "land panic" from which neither agriculture nor the farmer has as yet been able to either extricate the industry nor himself. In thousands of communities he is now in a helpless, hopeless condition, and there can be no lasting nor permanently assured farm relief until the Federal farm loan system has been plucked wholeheartedly from the pillaging crew of politicians and vested under the control of the farmer owners. Farmers by the thousands, seeing the equities in their land shrink or disappear entirely, abandoned the soil. This policy of the Federal Farm Loan Bureau and its dummies in the Federal land banks, either directly or indirectly, cost hundreds of millions in losses to farm families, many of whom were absolutely "shoved" off their land.

DISHONESTY RULES IN FEDERAL LAND BANKS

Then, in 1923, through underhanded and dishonest methods, control over the 12 district Federal land banks was stolen from the farmer owners, who have paid for the capitalization of these banks and were rightful owners of same exactly as stockholders own our National and State banks. At the time these 12 banks were capitalized at approximately $61,000,000 of hard-earned, crop-made money by the farmers themselves not one cent of this capital had been contributed by a single member of the Federal Farm Loan Bureau nor a political appointee in any Federal land bank. The original farm loan act of 1916, passed by a Democratic Congress and signed by a Democratic President, had promised these farmers that when they had repaid to the treasury of their land bank the money advanced for the purposes of establishing them that the said bank and its functions should be turned over to the farmer owners. This, remember, is entirely American and is the basic foundation of all sound banking in this country. To do otherwise would be contrary to the Constitution, which makes full provision for the safeguarding of personal property rights.

However, in 1923, through as underhanded and dishonest a political trick as was ever effected upon any particular class of people, control over the 12 Federal land banks was stolen from the farmer owners. These land banks were capitalized, remember, with $61,000,000 of farmer-contributed money. However, "Judge" Charles E. Lobdell, former county politician from Kansas, acting as farm loan commissioner, prepared an amendment to the fundamental farm loan act which was a virtual revision of its workings and intent and as un-American a piece of legislative business as was ever "put over."

WHO THE HEROES (?) WERE AND ARE

There was Congressman STRONG of Kansas, who introduced the bill in the House, where it was lobbied through by the Federal Farm Loan Bureau gang, assisted by alleged "pressure" which appeared to come from "back home," but which was really staged by the very men whom the board has named and were at the time "eating from the crib" at the expense of the farmer they deprived of property-right control. The Senate never even considered this radical plan to deprive the farmer of his voting power of the capital-stock shares which he had paid for in accordance with the provisions of the Federal farm loan act.

But this outrage against American agriculture and decent methods of considering and passing important legislation was consummated in the Senate by administration hacks. In a conference between the two Houses on the intermediate credits act the Strong bill was concealed within as Title III. At the eleventh hour of the session the intermediate credits act was reported. The Senate imagined it "was extending the farmer further financial assistance; the true purport of vicious Title III was not explained—that it took away powers granted by the Federal farm loan act without discussion, without even proper report (by Senator Charles McLean, Republican) that informed the Senate of the hidden clauses, the bill indefensibly became law, and the farmer stockholders were robbed of their power to vote their own land-bank shares!

Instead of the farmer owners of the 12 district Federal land banks having a clear majority of the directors to administer their own banks, they were given a reduced minority. To each land bank the stockholders now have the right to elect only three directors—one-half the number the original farm loan act provided them. The Government appoints, as before, three directors outright; the seventh, holding the balance of power, is supposed (and that is good—supposed) to be one of the three candidates voluntarily selected by the farmer stockholders. But do not overlook the little joker provided in the vicious amendment—the Farm Loan Board "selects"—the word is and has been trickily used—the leading candidate. Actually, the board names the seventh man. This steal of power was characterized by the Northwestern Stockman and Farmer as the "commission, by act of public legislation, of wholesale grand larceny." And the term is none too strong; it constitutes the greatest public steal of privately owned property ever effected and stands as a disgrace to American legislative acts.

TAKE CARE OF THE FRIENDS OF POLITICIANS

If any person is interested in knowing just why certain Members of the United States Senate are ever watchful that nothing is ever done to strengthen the farm loan act to provide superior service to the American farming interest and why said men are ever bending over backward to keep the system wholly under the domination of politicians, let us briefly investigate the interesting relation between some of these Senators and the men who constitute the officers of the Federal farm loan system.

For friends and relatives of influential Republicans, many of them absolutely unfitted for their particular tasks, incompetent in the extreme, have been appointed to important positions and kept there long after their incompetence has been known.

Glaring cases of favoritism in loans to certain States and certain individuals have been frequently brought to light. Enormous losses have resulted in the affairs of certain banks as a direct result of this favoritism dictating financial business.

There is, for example, a man by the name of Oran Layton, a Federal land bank examiner. He is a nephew of Senator CHARLES CURTIS, of Kansas, Vice President elect. Then there is that man who brought shame to the whole Federal farm loan system and who has "resigned" (instead of going to prison), ex-President H. C. Arnold, of the Federal Land Bank of Columbia, S. C., also ex-deputy warden of the Atlanta Penitentiary (whether he remained inside the cells or outside we haven't been advised, but he was at least in Atlanta). Arnold never had a minute's banking experience, even in a tiny 4-corner country bank, and held his position long after his incompetency was known, thanks to Republican political pull and pressure exercised by some of the men who deliver the most heart-rending addresses on the floor of the United States Senate and who tote a white lily palm in each hand when it comes to consideration of crime and corruption. We would neglect the opportunity of mentioning a vital fact did we forget to mention A. F. Cardon, chief reviewing appraiser of the Federal Farm Loan Bureau. He is a son-in-law of Senator SMOOT, of Utah. Further comment is unnecessary regarding this.

INEFFICIENCY KEEPS INTEREST RATE UP

Despite the fact that every other form of banking had rendered to borrowers lowered interest rates and that the provisions of the farm loan act are so elastic as to permit of almost immediate reduction of interest rate to the farmer borrowers, the interest rate had been kept at a high figure. This in face of the fact that publicity and propaganda widely broadcast by the board boasts of a $60,000,000 surplus in the land banks, or an average of $5,000,000 surplus in each bank.

Everyone who is conversant with and takes an intelligent interest in world affairs well knows that the United States now, as for months past, has been blessed by a prosperity in many lines, not including agriculture, which stands as an unsurpassed record in history. Lower and lower interest rates have characterized the trend in high-finance circles; never did industry, the railroads, commerce, or ordinary business secure financial assistance at better rates and terms.

It would be obvious that a strong centralized and consolidated nation-wide system of finance, such as the farm loan system now is, or should be, would be in a position to reap a few of the blessings thus prepared and made available by general trends in national affairs. Yet

the fact is that more than 20 foreign countries, every one of which has faced and now faces financial "hard times," provide their farmers with funds at lower rates than does or has the Federal farm loan system. Yet this same system is the greatest in the world, whether measured by the total number of farmers served or the aggregate of loans closed. Senator CURTIS is right when he advises that the farmer has not secured the savings which he should as a result of the consolidated system, and the reason is that politicians are reaping the fruits which the farmer should harvest.

BEST OF SECURITY OFFERED

The American farmer offers the best security in the world for his loans. This same farmer is the pride of the world as an efficient producer. On our meadows are produced the largest crops of wheat, corn, rye, etc. In our pastures graze the world's champion cows, steers, and sheep.

Given a real farm loan system, and with the gigantic resources and intelligent experience which stands back of our agricultural industry, it would seem that the opportunities for securing capital at the lowest possible interest rates were excellent. Yet the farmer now, with this system in operation, pays a larger sum for his money than any other American business man, unless we wish to include those who depend upon pawnshops and usurious loan agencies in cities.

THE GRIP OF BIG BANKING

The reason is plain to those who have investigated the subject even in a casual manner. The functions of the Federal farm loan system are under the complete domination of New York banking houses. Within a stone's throw of Wall Street we may see the great, towering buildings which house the real headquarters of the Federal farm loan system. Here are the men who dictate who shall and who shall not act as farm loan commissioner, and here may be heard the "master's voice," which tells the officials what to and what not to do with respect to the intimate business of the system. Just as President Harding listened to and responded to the blanket list of names to be appointed as members of the farm loan bureau, so also had President Coolidge consistently played safe by naming only Wall Street's men to supervise, administer, and ruin the farmers' banking system.

EASY PICKINGS

Ex-Farm Loan Commissioner "Judge" Lobdell decided that he wished some easy pickings. It is of interest to note that prior to political pull transforming him from the plains of Kansas to a high office in Washington he received not to exceed one-fourth the annual salary that he later received as member of the Farm Loan Board. But this easy money did not long satisfy him; he soon had visions of greener pastures, where the grass was longer and the work not so irksome. Therefore, using the political functions of his alleged supervisory office, he sent out a call to the presidents of the 12 district Federal land banks to hie themselves down to Washington for the purpose of holding what has since become one of their popular "conferences," and at which much dirty work has been done contrary to the best interests of agriculture.

At this little session "Judge" Lobdell had himself appointed—before he was even out of the job of farm loan commissioner—to act as a fiscal agent of the 12 land banks. The salary to be $25,000 per year, or more than twice that he received as member of the board. Likewise handsome "expenses" were voted to him and his fiscal (pistol) agency.

$100,0000 PER YEAR PORK

Such brief statements of the workings of the fiscal agency as have since been permitted to make their way out into information reveal the fact that in excess of $100,000 per year has been contributed out of the farmer-owned land banks into the Lobdell agency. This money was expended, according to the statement, for propaganda and publicity purposes—one of the strangest facts being that more than $3,000 in a single year was contributed by the banks for publicity agency purposes alone in excess of what the same statement shows as expended, though through some tricky figure-recording system the total balance would indicate that all the money was expended for the purpose contributed by the land banks. This is but one of the several peculiar systems of bookkeeping adopted by Lobdell, which, we must remember, he originated also in the Farm Loan Board's affairs, and that he was chief originator of the plan whereby the board had a secret bank account in one of the Washington national banks, a record of which has never been made public nor the exact purpose of such fund ever explained.

LOBDELL GETS THE GATE

But poor Lobdell has got the gate. This will cause hundreds of honest and industrious officers of national farm loan associations to weep copious tears when they remember how Lobdell has treated every single man in the system who revealed the slightest intent of carrying out the high purposes of the farm loan act; how Lobdell sent his lackey, Dan J. Coughlin, around the country to blackjack every secretary-treasurer in carrying on what Coughlin was pleased to term an examination but which was more truly a persecution. It should be remembered that Coughlin is Lobdell's man Friday, imported along with his trunks from Kansas, and that Coughlin, under the guise of serving as a Federal examiner, has performed many dirty pieces of work for Lobdell and other members of the Farm Loan Board, the very recitation of which is so loud in odor as to cause a polecat to crawl under the barn for relief.

Poor, poor Lobdell! After farming the farmers for nearly 13 years—is 13 unlucky?—he is now obliged to get out and work. Let us hope that he gets an honest job, and that he will not feel under the necessity of carrying such tricky methods as he employed while a member of the Farm Loan Board.

But now poor Lobdell is out. But he should not be permitted to "get away with it," to employ a popular street phrase. He should forthwith be subpœnaed before the proper Senate committee and obliged to give, under oath, accounting of every cent that he has drawn from the 12 Federal land and intermediate credit bank treasuries, and to whom he paid, and for what purpose he paid the money. Lobdell has collected and expended in excess of $500,000 as official agent—he has never rendered a satisfactory account of this—although much had been boasted about holding an "examination" (by Farm Loan Board examiners—probably Coughlin did the trick), but this is only propaganda vaporizing which gets no one anywhere, much less Lobdell.

The investigation into the affairs as handled by Lobdell should date back to the time when he, as a member of the Farm Loan Board, so forgot the high duties and responsibilities of that office as to deduct certain commissions from receipts of farm loan bond sales and establish a secret and private account in the Franklin National Bank in Washington. Although this account was shown to have totaled more than $70,000, Lobdell gave a school-boy's excuse of an accounting of less than $50,000 of it, and that accounting was satisfactory to no one. Even Lobdell himself was uncertain about what and why he expended money.

One illegal phase of this bank account was revealed before the Senate Committee on Banking and Currency, namely, that Coughlin, while receiving compensation as an "examiner," going up and down the land doing Lobdell's dirty work, also received money from the secret account. Even Judas was paid only from one treasury!

THE SAME OLD BUNK FLOWS FREELY

Despite the fact that certain members of the conservatives among Republican administration circles would have us believe that the Federal farm loan system is ideal and that Utopia was reached when certain members of the board had the "can tied to them," when President Coolidge "fired them," and replaced them with Meyer's crew, this is far from the fact.

The truth is that the entire system is now so near bankruptcy that illegal practices have been resorted to in order to pump enough life into the system to keep it from passing out as the result of political manipulation on the part of inexperienced and dishonest officials.

Men, mostly on Meyer's pay roll, travel up and down the land and proclaim to anyone who will listen, and such unsuspecting parties as may be near, that Meyer is the most wonderful banker in the world; that he would and could receive $100,000 a year in a private bank; that Meyer is making a great sacrifice to stay on as farm loan commissioner.

The acid test of horse sense reveals this as plain bunk. If Meyer were the greatest banker in the world, Meyer would be in a bank; if Meyer could secure so easily $100,000 a year in a private bank, that is exactly where Meyer would now repose, as for months past. And what obligation does Meyer feel that he is under to the farmer or the country that he should make any sacrifice? These simple propositions blast such childish propaganda as is now employed to reveal Meyer as great, as king of Utopia.

Meyer, remember, made such a failure of the old War Finance Corporation that Congress was obliged to foot losses running into the millions. If Meyer stays on much longer as dominator and dictator of the farm loan system, Congress will need to authorize still another big dip into that fund that Mellon guards so carefully—when prohibition is talked—but expends so freely when tax refunds are being made to wealthy corporations (that contributed freely to the Republican Campaign funds).

TURN THE BANKS OVER TO OWNERS

If Meyer and Mellon were anywhere near so great as they would have an unsuspecting world believe, long since they would have taken a definite move to turn the 12 Federal land banks over to their rightful owners, the farmers, who were legally forced to subscribe to the capitalization and assume all the liabilities of same. They would not for a split second wish anyone save the rightful owners to manage these banks; they would not desire that partisan politics dictate entirely, as now, in the supervision and the administration of these banks.

Meyer does not know where else to get work, so Meyer is farm loan commissioner. That's the plain, unbiased truth, and don't let the nigger in any woodpile fool you.

REDUCED FARM LOANS NOW MADE

Now, as for many months past, fewer and fewer farm loans are being made. In hundreds of counties four to five farms are having the Federal farm loan mortgage foreclosed against them by Federal land banks

to every loan that is being made. If Meyer is such a wonderful banker, and if he is so good in administrative work and in selection of officers to pluck the land bank business, why is this the case?

Back in 1927 the administration prevented farmers from obtaining $90,000,000 to lend at a low rate. All farmers received that year was $62,000,000, as compared with $157,000,000 in 1926, the smallest since 1922.

During the period of the war the Treasury purchased—to keep them off the market and out of the way of Liberty bond sales, and not because farm loan bonds could not be advantageously sold—$100,000,000 of farm loan bonds.

In 1927 some one, disregarding agriculture's dire need, advised the Treasury to sell that $100,000,000 of farm loan bonds. Under counsel, the Federal land banks did not issue nor endeavor to sell new bond issues that would conflict with Treasury sales, proceeds of which went into the Public Treasury. That meant there were $90,000,000 less to lend to the farmers. Depression reigned supreme throughout the land; only one who urgently needed, was worthy, and had the security to offer, received a loan to the 10 or 12 who applied for loans.

Who was the smart Alec who advised this procedure? Was his name Mellon, Meyer, or Lobdell? Whoever he was, he was a Judas to American agriculture, which means to all American interests. The fact that he was shortsighted means little; the fact that, under the present political system, one man, or a few men, are thus able to jeopardize the interests of all farmers, clearly demonstrates that we need a change in method of operation and dictation of the affairs of the Federal farm loan system.

Had the system been, as it should be, in the hands of farmer-directors of the 12 district Federal land banks, it is unthinkable that any farmer—bright enough to go under cover when it rains—would have permitted any such policy of the Treasury dumping bonds onto a market and ruining the sale of bonds required to finance farming. What did the political manipulators of the land banks care about farmers? They got theirs, anyhow!

WHAT WILL HOOVER DO?

As a political campaigner, Herbert Hoover had much to say about bureaucracies, and what he thought of them parallels human experience and represents a characterization of the story of the Farm Loan Bureau.

Hoover has made a solemn promise to the American people. Can he defend the actions of this board during the two previous administrations? Can he now permit petty politicans to manipulate a billion and a half dollar enterprise—one of the greatest banking institutions in the world—to the exclusion of the people this system was created to serve, and whose industry it should sustain and foster?

Although Eugene Meyer has already had his propagander write a nice little story about how he "quietly cleaned up the farm loan system," same appearing in the papers in time for the returned tourist to read upon his return from South America! If Herbent Hoover can keep Meyer in the job he now occupies more than 15 minutes after he takes up the business of President, then it will clearly indicate that his promises are not fulfilled. One of the first bureaus that requires a "dry cleaning" is the Farm Loan Bureau. Men who are at least acquainted with farming should be given the task of supervising, the management of the banks should be placed in the hands of the farmers, and the whole system operated as intended—as an American—not a Russianized banking system.

WHO WILL PAY THE LOSSES?

During the more than five years that the politicians have been manipulating the farmer-owned land banking system, the banks have sustained losses which range into the millions. Most of these losses may be charged to mismanagement and crookedness on the part of the officers. The United States Government made a payment to the American railroads, after politicians had nearly wrecked them during the war; the Congress should provide, in a similar manner, for repayment to the farmers who have been pillaged by as dishonest a lot of officeholders. If the politicians are to run the people's business, then the Government should stand the bill—not the farmers.

A committee should be named for the specific purpose of carrying on an intensive and thorough investigation of the Federal farm loan system; an accounting of the losses should be listed and Congress authorized repayment to the farmers of this sum. Then they should quickly kick out of office the political plunderers and put in their stead honest, intelligent, experienced farm representatives, of which there is an abundant number now ready to take over the land banks.

NEW JERSEY PLANS TO REPLACE OLD MORTGAGE LAWS WITH NEW ONES—COMMISSION HAS NUMBER OF RECOMMENDATIONS FOR CORRECTING THE ARCHAIC CONDITION

The mortgage laws revision commission of the State of New Jersey will submit to the 1929 session of the legislature a number of measures for enactment, according to Atwood C. Wolf, secretary. "These are practically all devised to afford temporary relief from existing conditions pending a final and complete revision and recodification of all real estate mortgage laws—statutes and decisions, which to-day are considered archaic and cumbersome, the legacies of the old common law of the State," says Mr. Wolf in a statement on the work of the commission.

"The greatest evil, delay in the foreclosure of mortgages in default, has long been considered as a most deterrent influence."

SHERIFF GETS A BIG COMMISSION

Nor has this delay of six to nine months for foreclosure been the only matter considered for immediate relief. Sheriff's costs for crying off the sale have always been considered as most excessive, and more frequently than not those costs have had to come out of the mortgage principal, obviously at the expense of the investor. Heretofore sheriff's fees have been assessed at 2½ per cent on the first $5,000 and 2 per cent on all above that sum. This for a mere administrative act.

NOT MORE THAN $50 FOR SHERIFF

The members of the commission all felt, after holding a series of open hearings, that these fees were highly excessive and that the county and State should not be the chief beneficiaries at the expense of the unfortunate property owner.

WILL PUT BRAKE ON TRICKY LAWYERS

Some 23 specific items have been so far considered. These include practically every question that will tend to improve and modernize the mortgage law situation, such as a statutory short form of mortgage, photostatic recording processes, elimination of all redemption periods, decentralization of courts having jurisdiction in foreclosures, substitution of a flat-fee system for the ancient and archaic costs and allowance method, revisions of counsel fees, the method of service upon absent or nonresident defendants, and many others.

The mortgage laws commission, although it may not complete its work for two or three years, has already accomplished a great deal. The six members have been chosen from various parts of the State of New Jersey and all are experienced lawyers or brokers.

Communications or inquiries should be addressed to either the secretary, Counselor Atwood C. Wolf, Jersey City, or to the chairman, Edward West, at Camden. Suggestions or constructive criticisms will be welcomed, Mr. Wolf said.

The other members of the commission are William J. Egan, Newark; Alfred S. March, New Brunswick; John E. Siracusa, Atlantic City; and William J. Blair, Asbury Park.

CLARA PERCY

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3453) to confer jurisdiction upon the Court of Claims to hear and determine the claim of Clara Percy, which were to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $5,000, to Clara Percy, on account of the death of her husband, Elmer Charles Percy, who was struck and fatally injured by a United States Government truck in Balboa, Canal Zone.

Amend the title so as to read: "An act for the relief of Clara Percy."

Mr. ROBINSON of Indiana. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12236) to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion of the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. W. T. FITZGERALD, Mr. ELLIOTT, and Mr. GREENWOOD were appointed managers on the part of the House at the conference.

BOULDER DAM

Mr. PHIPPS. Mr. President, the senior Senator from Nevada [Mr. PITTMAN], who is unable to be here to-day, recently gave out a short interview to a newspaper man from the West relating to Boulder Dam legislation. I think it would be of great interest to the Members of the Senate, and I therefore ask unanimous consent to have it printed in the RECORD.

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

The rumors that are floating around to the effect that Arizona will not ratify the Boulder Dam legislation are simply an hysterical expression of either fear or hope and have no foundation in fact. I have not the slightest doubt that Arizona's Legislature, which is now in session, will authorize the execution of the tri-State agreement authorized by Congress in the fourth section of the Boulder Dam act.

I am frank to say that this opinion is not based upon any private information within my possession, but is, in my opinion, supported by the logic of the situation.

The act is materially different from the bill opposed in the past and opposed at the last preceding session of Congress by the Arizona Senators and Congressmen and the Arizona commission. I must confess that even those who are in sympathy with the demands of Arizona—and I was one of them—have been astonished at the great concessions that were obtained by the Arizona Senators in the Senate and subsequently approved by the House of Representatives.

Arizona demanded some form of compensation in lieu of taxation that might be lost if the United States Government constructed the dam and power house instead of private capital. Nevada joined in this demand, and I had the honor to introduce the amendments which provided for such compensation. The compensation is to come out of any annual surplus that may arise over and above the amount annually due the Government for amortization. The fact that $25,000,000 of Government money is to be paid back out of the 62½ per cent of such surplus warrants me in believing that there will be a substantial annual surplus. It is estimated that the States of Arizona and Nevada will each receive between $400,000 and $600,000 annually by virtue of such provision.

It is possible, if not probable, that in the event others than the United States Government build the power house such power house will be subject to regular and uniform tax assessments of Arizona and Nevada. This compensation, in such case, will be in addition to the compensation above referred to.

Arizona and California each demanded 4,600,000 acre-feet of water. By the act California is restrained from taking out of the Colorado River in excess of 4,400,000 acre-feet of water. This will leave 3,800,000 acre-feet out of the main stream subject to perpetual use by Arizona, which, together with the reserved waters of her tributaries, will give her more water than she originally demanded.

The Congress of the United States has authorized a tri-State agreement between Arizona, California, and Nevada which will absolutely protect Arizona in exclusive beneficial use of the waters of the Gila River and its tributaries, and protects forever the waters of the Gila River and its tributaries from any diminution whatever by allowance of water which would be made by treaty or otherwise to the United States of Mexico.

It appears therefore that Arizona has substantially obtained from Congress its material demands, and there would appear to be no legitimate excuse to further oppose the legislation. In fact, it is reasonable to believe that, in the circumstances, if Arizona still, after all these concessions, attempts to prevent the construction of these necessary works, she will be defeated in such opposition by the ratification of a 6-State agreement in which Utah will participate.

Utah undoubtedly should be satisfied. Every amendment to the bill offered by the Senators from Utah while the bill was pending in the Senate at this session was adopted and is now a part of the act. These concessions were made to Utah upon the understanding that if such amendments were agreed to the bill would be satisfactory to the State of Utah.

In such event the act would be ratified anyway after six months; but the residents of all the seven interested States, most of whom have been sympathetic with Arizona, believe that Arizona has won its fight and are anxious for it to join with the rest of them in the ratification of the 7-State agreement and the pending act.

The legislators of Arizona will realize that all legislation is a compromise and that their State has been remarkably successful in the matter of congressional compromise. Their Senators and Congressmen and their former governor and their commission are to be congratulated upon the splendid fight they made and the success of their efforts.

The Legislature of Nevada will undoubtedly in a few days authorize the execution of the tri-State agreement provided for in section 4 of the act. This action will undoubtedly be followed by similar action by California. The matter will then be up to Arizona, and I am satisfied that the generous spirit of its legislators and their intelligence will justify them in following the same course without delay.

PROPOSED AMENDMENT OF THE RULES

Mr. JONES. Under the head of further morning business, pursuant to notice that I gave on Saturday last, I desire to make a motion. It is written out in the form of a resolution, but, as a matter of fact, it is a motion to amend a paragraph of the rules. I ask that it may be read.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read the resolution (S. Res. 309) submitted by Mr. JONES on January 26, as follows:

Resolved, That Rule XXXVIII of the Standing Rules of the Senate, relating to proceedings on nominations in executive session, be, and the same is hereby, amended by adding an additional paragraph, as follows:

"7. Hereafter nominations shall be considered in open executive session unless the Senate, in closed executive session, shall by a two-thirds vote determine that any particular nomination shall be considered in closed executive session, and in that case paragraph 2 of of this rule shall apply to such nomination and its consideration."

Mr. JONES. Mr. President, pursuant to the rules, this is a motion which may be considered without going to a committee. I am going to ask that it may lie on the table, and I expect to call it up at the next meeting of the Senate when we have a morning hour. Then, probably, the question will be raised as to whether it should go to the Rules Committee, but that question may be considered at that time.

Mr. SMOOT. Mr. President, with that statement I have no objection at all, but I do think that an amendment to amend the rules so important as this would be if adopted should go to the Rules Committee for report.

Mr. JONES. I wish to say to the Senator that I am inclined to think that practically every Senator has his mind made up with reference to a matter of this kind, but, as I have stated, I am not asking action on the motion this morning. However, when we next have a morning hour, I shall ask for such action. Of course, if a majority of the Senate deems it wise and proper, I recognize that this motion can be referred to the Committee on Rules by a majority vote of the Senate. So I merely give this notice in order that every Senator may make up his mind in the meantime as to whether or not to send the motion to the Committee on Rules or vote on it directly.

Mr. McKELLAR. I hope the Senator will call his motion up at a very early day.

Mr. JONES. I shall do so the first time we have a morning hour in the Senate.

Mr. DILL. I hope the motion will not go to the Rules Committee of the Senate, because if it does we shall never hear of it again.

Mr. SMOOT. That is the Senator's opinion.

Mr. CARAWAY. Mr. President, I very much hope the Senate will adopt the motion of the Senator from Washington, because I want to relieve some Senator of the necessity of violating his oath every time we have an executive session. Of course, there is no secrecy about executive sessions. There is somebody here who runs out and makes a full report, either in order that he may have an advantage or to put somebody else at a disadvantage, and only half the truth is told. While I do not presume it hurts the conscience of whoever does it, I want to relieve him of the necessity of having to do it.

Mr. JONES. Mr. President, I take it that the resolution or motion will be printed.

The VICE PRESIDENT. It will be printed and lie on the table.

Mr. JONES. I desire to have it printed, so that every Senator may examine it.

ORDER OF BUSINESS

Mr. FLETCHER. I renew my request for unanimous consent to consider the bridge bills on the calendar. I know that the Senator from New Jersey [Mr. EDGE] is anxious to get up the joint resolution in which he is interested, and I am with him in connection with that measure, but I think these bridge bills ought to be disposed of, because there are some of them which must be sent over to the House. It will only take a minute to consider them.

Mr. CURTIS. Mr. President, if they are only bridge bills in the regular form and no discussion will take place on them, I hope that unanimous consent will be given.

Mr. FLETCHER. There will be no discussion at all.

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida?

Mr. EDGE. Mr. President, I have no intention of objecting. I simply wish to state at this time, in accordance with notice heretofore given, that when the calendar is called in the ordinary way if there is objection to the consideration of Senate Joint Resolution 117 I shall move to take it up. I am not objecting, however, to the request of the Senator from Florida.

Mr. REED of Pennsylvania. The request of the Senator from Florida would begin with Calendar No. 1538 and extend to Calendar 1559, as I understand.

Mr. FLETCHER. Yes.

The VICE PRESIDENT. The Senator from Pennsylvania is correct if consent be given to the consideration of the bills referred to by the Senator from Florida.

Mr. BLEASE. Mr. President, I should like to ask what objection there is to going on with the calendar and let the bills referred to by the Senator from Florida come up in their regular order? I do not know whether they are going to involve any discussion or not. There are Senators here who have some very important bills on the calendar, and the bills referred to by the Senator from Florida may take up the morning hour.

Mr. FLETCHER. It will only take a few moments to consider them. There is no objection to them, they are in the regular form, and have been reported by the Commerce Committee.

Mr. BLEASE. I do not see that a bridge bill is any more important than any other bill, and I object.

Mr. FLETCHER. Very well; when we consider the calendar we may find some other bill taken up which will consume the morning hour.

The VICE PRESIDENT. Morning business is concluded. The calendar under Rule VIII is in order.

Mr. EDGE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order of Business No. 785, being the joint resolution (S. J. Res. 117) authorizing an investigation and survey for a Nicaraguan canal. I make this request because on Saturday we completed the calendar; and, in view of the fact that objection has been made to the consideration of all the bills on the calendar preceding Senate Joint Resolution 117—and they have been passed over many times—I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. DILL. I object.

The VICE PRESIDENT. Objection is made. The calendar, under Rule VIII, is in order.

Mr. EDGE. Mr. President, I move that the Senate proceed to the consideration of Senate Joint Resolution 117.

Mr. CURTIS. Mr. President, as I understand, that motion is not now in order.

The VICE PRESIDENT. The motion will not be in order until the joint resolution is reached on the calendar and objection is made at that time.

PROHIBITION OF WAR

The VICE PRESIDENT. The call of the calendar will proceed.

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

Mr. BRUCE. I move that the joint resolution be indefinitely postponed.

Mr. DILL. Mr. President, I hope the Senator from Maryland will not make that motion.

Mr. BRUCE. I most assuredly will. It draws no distinction whatever as between wars, whether for self-defense or otherwise.

Mr. JONES. Mr. President, I was going to ask that the joint resolution go over, but I see that the Senator from North Dakota [Mr. FRAZIER], who introduced it, is now present.

Mr. BRUCE. It is nothing but a sickly moonbeam, and I move that it be indefinitely postponed.

Mr. NORRIS. Mr. President, a parliamentary inquiry. Does not an objection put the joint resolution over under the rule? I do not care to take it up; I am not in favor of the joint resolution; but I hope the Senator from Maryland will not make his motion. I should like to have the joint resolution go over.

The VICE PRESIDENT. A motion to postpone indefinitely should follow a motion adopted by the Senate to proceed to the consideration of the joint resolution.

Mr. BRUCE. The joint resolution has come up on the call of the calendar time and time again, but no effort has been made to discuss it or to secure its passage.

The VICE PRESIDENT. The only motion in order at the present time is a motion to proceed to the consideration of the joint resolution, and then, if that motion should be carried, a motion to indefinitely postpone the joint resolution would be in order.

Mr. BRUCE. If the Senator from North Dakota will promise to take up the joint resolution and explain it and make some effort to secure its enactment, I will withdraw my motion.

Mr. FRAZIER. Mr. President, I am not prepared to make the motion to take up the resolution at this time, but I will be glad to have it go over.

The VICE PRESIDENT. Objection is made, and the joint resolution will be passed over.

BILLS PASSED OVER

The bill (S. 1414) for the prevention and removal of obstructions and burdens upon interstate commerce in cottonseed oil by regulating transactions on future exchanges, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1728) placing service postmasters in the classified service was announced as next in order.

Mr. BLEASE. I ask that that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1266) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 759) to give the Supreme Court of the United States authority to make and publish rules in common-law actions was announced as next in order.

Mr. SACKETT. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2464) 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, was announced as next in order.

Mr. EDGE. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1093) to prevent the sale of cotton and grain in future markets was announced as next in order.

Mr. SMOOT. Over.

The VICE PRESIDENT. The bill will be passed over.

WITHDRAWAL OF MARINES FROM NICARAGUA

The joint resolution (S. J. Res. 57) requesting the President to immediately withdraw the armed forces of the United States from Nicaragua was announced as next in order.

Mr. BRUCE. I move that the joint resolution be taken up for consideration, with a view to moving its indefinite postponement.

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland to proceed to the consideration of the joint resolution.

Mr. HEFLIN. Mr. President, that joint resolution will consume a good deal of time if it is taken up now. I am willing to have it go over.

Mr. FLETCHER. Let it go over.

The VICE PRESIDENT. The motion of the Senator from Maryland is not debatable.

Mr. FLETCHER. I understood the Senator from Maryland to say that his idea was to move to postpone the measure indefinitely.

Mr. BRUCE. It is.

Mr. FLETCHER. Then there is no need to take it up.

Mr. NORRIS. I make the point of order that the motion to postpone indefinitely is not in order under this call.

The VICE PRESIDENT. It is not in order until the Senate has voted to take up the joint resolution.

Mr. BRUCE. I moved that the measure be taken up for consideration with a view to making a motion to postpone it indefinitely.

Mr. HEFLIN. Let it go over.

The VICE PRESIDENT. The Senator from Maryland moves that the Senate proceed to the consideration of Senate Joint Resolution 57.

The motion was rejected.

The VICE PRESIDENT. The Secretary will state the next bill on the calendar.

BILLS, ETC., PASSED OVER

The bill (S. 2679) to limit the period for which an officer appointed with the advice and consent of the Senate may hold over after his term shall have expired was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1263) to amend section 4 of the interstate commerce act was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 173) expressing it as the sense of the Senate that Andrew W. Mellon should resign as Secretary of the Treasury was announced as next in order.

Mr. JONES. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1748) relating to the qualifications of jurors in the Federal courts was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3151) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. BAYARD and Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 8298) authorizing acquisition of a site for the farmers' produce market, and for other purposes, was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 25) to declare the 11th day of November, celebrated and known as Armistice Day, a legal holiday, was announced as next in order.

The VICE PRESIDENT. This joint resolution is reported adversely.

Mr. FLETCHER. I move that it be indefinitely postponed.

SEVERAL SENATORS. Let it go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1729) extending the classified civil service to include postmasters of the third class, and for other purposes, was announced as next in order.

Mr. BLEASE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 742) to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, was announced as next in order.

Mr. KING and Mr. BRATTON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1995) placing certain employees of the Bureau of Prohibition in the classified civil service, and for other purposes, was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1215) for the relief of Helen F. Griffin was announced as next in order.

The VICE PRESIDENT. This bill is reported adversely.

SEVERAL SENATORS. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2901) to amend the national prohibition act, as amended and supplemented, was announced as next in order.

Mr. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

PROPOSED NICARAGUAN CANAL

The joint resolution (S. J. Res. 117) authorizing an investigation and survey for a Nicaraguan canal was announced as next in order.

Mr. EDGE. Mr. President, I move that the Senate proceed to the consideration of this joint resolution.

The VICE PRESIDENT. The question is on the motion of the Senator from New Jersey.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE PRESIDENT. The amendment of the committee will be stated.

The joint resolution had been reported from the Committee on Interoceanic Canals with an amendment to strike out all after the resolving clause and to insert:

That the President is hereby authorized to cause to be made, under the direction of the Secretary of War and the supervision of the Chief of Engineers, a full and complete investigation and survey for the purpose of revising and bringing down to date the report of the Isthmian Canal Commission transmitted to the Congress December 4, 1901, and for the purpose of collecting the additional information and data necessary in order to ascertain (1) the most practicable route for an interoceanic ship canal by way of the San Juan River and Great Lake of Nicaragua or by way of any route over Nicaraguan territory, including a suitable harbor at each of the termini thereof; (2) the feasibility and approximate cost of the construction and maintenance of such canal; and (3) the cost of acquiring all private rights, privileges, and franchises, if any, pertaining to such route. The investigation and survey shall be made upon the basis of a canal having a capacity sufficient for the convenient passage of vessels of such tonnage and draft as may reasonably be anticipated.

SEC. 2. The Chief of Engineers, under the direction of the Secretary of War, shall establish and maintain during the investigation and survey thereafter such stations as he deems necessary for gauging the water supply available for the operation of the canal.

SEC. 3. The Chief of Engineers, under the direction of the Secretary of War, shall also make an engineering survey and an investigation for the purpose of determining the possibilities and cost of enlarging the Panama Canal to the extent which may be necessary to meet the future needs of interoceanic shipping.

SEC. 4. The Government of Nicaragua having by treaty with the Government of the United States, signed at Washington on August 5, 1914, and duly ratified as required by the laws of both of said Governments and proclaimed June 24, 1916, granted in perpetuity to the Government of the United States, forever free from taxation or other public charge, the exclusive proprietary rights necessary and convenient for the construction, operation, and maintenance of an interoceanic canal, by way of the San Juan River and the Great Lake of Nicaragua, or by way of any route over Nicaraguan territory, the details of the terms upon which such canal shall be constructed, operated, and maintained to be agreed to by the two Governments.

The President of the United States is hereby authorized and empowered to enter into negotiations for an agreement upon the details of the terms under which such canal may be constructed, operated, and maintained: *Provided*, That nothing contained in this resolution shall be construed to bind the United States to build said Nicaraguan canal.

SEC. 5. The Senate of the United States having incorporated in its esolution advising and consenting to ratification of the treaty with Nicaragua, as aforesaid, a declaration "that in advising and consenting to the ratification of the said convention as amended such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that nothing in said convention is intended to affect any existing right of any of the said named States," namely, Costa Rica, Salvador, and Honduras, the President is authorized and empowered to enter into negotiations with said States and determine whether they, or any of them, have any interest in said proposed canal.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $150,000, to be expended by the Secretary of War for the purposes of this resolution and to remain available until expended; and there are hereby authorized to be appropriated such additional sums as may be necessary for such purposes.

SEC. 7. The President is requested to report to the Congress as soon as practicable, not later than two years, the results of the investigation and survey, together with such recommendations in connection therewith as he deems advisable.

Mr. EDGE. Mr. President, I shall speak very briefly to the resolution, from the simple fact that on previous occasions I have explained it, and I believe its object is familiar to every Member of the Senate.

However, as the joint resolution is now officially before the Senate, permit me again to assure Senators that the measure in no way, shape, form, or manner commits the Senate to any future interoceanic canal policy. It simply provides for securing such information as it is absolutely necessary and essential for the Senate and the Congress to have before they can determine upon a future policy.

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

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Washington?

Mr. EDGE. I yield.

Mr. DILL. If this joint resolution is passed, how many employees will be required to carry out its purpose?

Mr. EDGE. The joint resolution provides that the Engineering Department of the War Department shall make the surveys necessary to determine the cost and possibility of suggested improvements to the Panama Canal, and at the same time make a similar survey as to the proposal to build a Nicaraguan canal over the route where we have paid $3,000,000 for the right of way.

As to the number of employees necessary, that would be a matter of detail in the Engineering Corps of the War Department. They naturally, in the ordinary way, would send a staff of engineers to the Nicaraguan route, or from Panama to the Nicaraguan route—engineers already being in Panama—to secure the information required under the terms of the joint resolution.

Mr. DILL. Does the Senator think it will require any additional employees?

Mr. McKELLAR. If it does, I call attention to the fact that $150,000 is appropriated in the joint resolution, and it is limited to that amount.

Mr. EDGE. The joint resolution does not provide for the employment of anyone now outside of the service; and, as the Senator from Tennessee has stated, the limit of money to be expended under the terms of the joint resolution is $150,000 and the time limit for securing the information is two years.

Mr. DILL. How was this amount of $150,000 arrived at?

Mr. EDGE. It was arrived at through an estimate made by the War Department.

Mr. DILL. How much of it is to be spent on the Panama Canal and how much of it on the Nicaraguan route?

Mr. EDGE. There has been absolutely no attempt to make that division. That is a technical engineering matter which must be left to the War Department. The total amount esti-

mated for was budgeted by the Budget officers and approved by the President of the United States.

Mr. DILL. Has this joint resolution passed the House?

Mr. EDGE. The joint resolution has not been considered in the House. One of the reasons why I want to have it considered in the Senate as early as possible is so that it can have consideration in the House.

Mr. DILL. The Senator does not think the joint resolution will pass the House at this session, does he?

Mr. EDGE. I am concerned with its consideration and disposition by the Senate, at least so as to give sufficient time in the House for its further consideration there.

Mr. DILL. Will the Senator answer another question? How nearly are we using the facilities of the Panama Canal at this time?

Mr. EDGE. The Governor of the Panama Canal in his last report—the report up to June 30, 1928—stated that the use of the Panama Canal had now reached 50 per cent of its facilities. The business through the Panama Canal which I set forth in an address I made to the Senate several weeks ago has more than doubled each 5 years of the 15 years the canal has been open to traffic. No one anticipates that the same proportion will continue after the third cycle of five years; but it has continued for the three 5-year periods through which we have passed. But, even if it continues in a considerably reduced proportion, it is estimated by the Governor of the Canal Zone and by engineers that we will have reached the limit of the present mechanical facilities within from 12 to 20 years. It is also estimated by engineers that it will require approximately that time to construct a new canal, and a considerable portion of that time to install a third set of locks, which has been proposed, at the Panama Canal.

Again, from the time necessary for construction must be deducted the years necessary for surveys, which is all this joint resolution calls for. The longer we put off the surveys, the nearer will we come to the time when we will reach the maximum capacity of the canal.

Mr. DILL. When was the last survey made?

Mr. EDGE. The last survey made of the proposed Nicaraguan canal was contained in the report transmitted to the President and Congress in 1901, 27 years ago.

Mr. DILL. What additional information is necessary now that was not given in that survey?

Mr. EDGE. From an engineering standpoint, I am informed—and it sounds very reasonable to me—that the method of construction has to a great extent changed during a period of 27 years. While it is reasonable to assume that the topography of the country of Nicaragua has not greatly changed in that time, unless through earthquake or volcanic eruption, methods of constructing canals has undergone considerable change. There has been much agitation in recent years of the feasibility of a sea-level canal. Of course that was more or less investigated during the period when the Isthmian Canal Commission made the survey in Nicaragua some 27 years ago; but it is reasonable to assume that with the great development in construction work, the Senate, the Congress, and the country would not be satisfied to proceed to a decision in so important a matter upon a survey made 27 years ago. Further than that, if I may answer the Senator's question a little further, if he wants information—and I am sure he does——

Mr. DILL. I do.

Mr. EDGE. The route of the canal proposed through Nicaragua has never been definitely established. Our right-of-way privilege permits us to follow any route through the country that would seem best adapted, not necessarily the route which was suggested in the Isthmian Canal Commission's report. There have been some suggestions that a different route might be followed in some sections of the distance the canal must traverse, and perhaps thus lessen the expense. So all of that makes absolutely compulsory, if we are to act intelligently, a further survey of the Nicaraguan canal route.

Mr. DILL. How much can the facilities of the Panama Canal be enlarged?

Mr. EDGE. That, again, is a matter that the new Governor of the Panama Canal Zone, Colonel Burgess, in personal conference with him during the holiday, has suggested the engineers be given power to ascertain.

Mr. DILL. That is what I can not understand about this legislation—why, when we have not yet determined the additional facilities possible at Panama, we should be asked to enter upon preparations for the building of a Nicaraguan canal. It is admitted that only 50 per cent of the facilities of the Panama Canal are now being used, that they can be enlarged, and yet we are asked here to combine an investigation as to the enlargement of the Panama Canal with getting the necessary data for the building of a new canal.

Mr. EDGE. Mr. President, I think I can answer that in a very few moments.

We are faced, obviously, with the necessity of increasing canal facilities. We have two proposals, both very general. One of them is to install a third set of locks in the Panama Canal. As I understand, that is a mechanical suggestion that has never been tried, a mechanical suggestion that would require considerable study and investigation on the part of the engineers, both as to cost and available water supply. At the same time we have possessed for 14 years a right of way across Nicaragua for a second interoceanic canal. We paid $3,000,000 for that right of way. We have never acted upon it. Now, I repeat, when we are faced with the necessity of increasing canal facilities, it would seem to be a matter of ordinary good common sense and business judgment to investigate both possibilities to bring about that increase and not merely to investigate one and be unable to tell Congress what could be done with the other, especially in view of the fact that we have already made the investment.

Mr. COPELAND. Mr. President——

Mr. DILL. What is the estimated cost of the Nicaraguan canal?

Mr. EDGE. That is purely a guess. The cost of a Nicaraguan canal as given by the Isthmian Canal Commission 27 years ago, as I recall, was something under $200,000,000.

Mr. McKELLAR. Seventy million dollars.

Mr. EDGE. At the same time the estimated cost of completing the Panama Canal—for Senators will recall that it had already been undertaken by the French—was considerably more than that. In other words, if we can base the cost to-day on the cost 27 years ago, it would have cost less to construct the Nicaraguan canal at that time than it did to complete the Panama Canal. How much it will cost in addition because of the recognized increase in the cost of construction——

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from New Jersey yield to the Senator from New York?

Mr. EDGE. As soon as I finish my sentence. How much additional it will cost because of the well-known increase in the cost of construction I am unable to tell the Senator. I yield to the Senator from New York.

Mr. COPELAND. My own predisposition has been, as apparently has been that of the Senator from Washington, to enlarge the Panama Canal. I went through that canal last year, and after a discussion of the matter with the officials it seemed to me that it would be possible to enlarge the facilities materially. The water is there, and all that is necessary might be done. But this proposal of the Senator from New Jersey is to have a survey, to find out how feasible and practicable and economical would be the building of a canal through Nicaragua. It would seem to me, as I view it, that it would be very wise for the Senate to have this information in order that the matter then might be settled on its merits when we come to consider the question of increased canal facilities, whether we would decide that we should enlarge the canal at Panama or build this in preference. For that reason I have been inclined to support the proposal of the Senator from New Jersey to have this survey made.

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

Mr. EDGE. I yield.

Mr. McKELLAR. The Senator from Washington asked about the cost of the proposed canal, and my answer might probably mislead him. The lowest limit of cost, as fixed in the report at the time referred to, 27 years ago, was seventy millions, and the highest was one hundred and forty millions. Of course, it would take more now.

Mr. DILL. What did the Panama Canal cost?

Mr. McKELLAR. It cost $370,000,000.

Mr. DILL. Why did they spend $370,000,000 if they could have built a canal through Nicaragua for $70,000,000?

Mr. McKELLAR. We all remember, or have read, at any rate, that there was a great fight over a choice between these two routes. The Panama Canal indisputably cost a great deal more than it would have cost to build a canal in Nicaragua.

Mr. EDGE. Mr. President, supplementing what the Senator from New York has just stated, my mind is entirely open as to the advisability of enlarging the Panama Canal or building the Nicaraguan canal, or both; but I contend that it is impossible for the Senate intelligently to decide either of those questions until they have the information. To me it is inconceivable that anyone should object to securing information.

Mr. DILL. But this resolution does not provide how much is to be spent on studying the conditions in Panama and how much on studying the conditions in Nicaragua. We are to appropriate a lump sum, $150,000, for the engineers and let

them spend it as they see fit, with no assurance that we will get the information.

Mr. EDGE. It directs the engineers to get the information with respect to both projects. For us arbitrarily to say that $50,000 should be spent at one place and $100,000 in another would seem to me a very unusual procedure.

Mr. DILL. Does the Senator think we are in such dire need of another canal across the Central American part of the continent that we should go ahead with preparations to build such a canal with conditions on our inland waterways as they are?

Mr. EDGE. The two are very intimately related, but that one is dependent upon the other I do not think is true. The Senator uses the words "dire need." I do think it is essential that we should receive this information, and the sooner the better. As far as the inland waterways are concerned, I have just as much interest in the development of the inland waterways as the Senator from Washington, or any Senator from his section of the country, or any other section of the country. But does it not occur to the Senator that if the Mississippi River improvements continue to be made, and the inland waterways up through that northwestern section have that much more traffic carried over them, we should in time build the Nicaraguan canal, so that the people of the Northwest would have open to them through the Gulf of Mexico a new market at certainly lower transportation costs than via a coast route? As a matter of providing a feeder or output from the great Northwest, from a purely selfish standpoint they should be in favor of a Nicaraguan canal.

Mr. DILL. As soon as this canal was built tolls would be charged on it, and it would not be of any value to us. So I do not see any reason for building another canal.

Mr. EDGE. Of course the question of tolls would be a matter for Congress to decide. We have taken no advantage of our right to fix tolls on the Panama Canal, and the tolls are the same to all. Over $20,000,000 collected in tolls last year netted an interest of 7½ per cent to the taxpayers of this country.

Mr. DILL. All at the expense of the commerce of the part of the country that sends traffic through the canal.

Mr. HAWES and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Jersey yield; and if so, to whom?

Mr. EDGE. I think the Senator from Missouri first rose.

Mr. HAWES. Mr. President, I am rather interested in the fact that there is no provision in the bill for the employment of civilian engineers, but that the framers of the legislation have placed this survey entirely in the hands of the Chief of Army Engineers. We have in the United States over 200,000 civilian engineers. They have a great national organization of 20,000 members of high ethical standards and great experience. Each of our State colleges is graduating civilian engineers each year. In the original work on the Panama Canal, if I am not mistaken, civilian engineers were called in with the Army engineers. In the original draft of this bill I notice that a board of engineers was provided for. I would like to know why civilian engineers are to be eliminated in making this survey.

Mr. EDGE. I direct the attention of the Senator from Missouri to the fact that the original resolution to which he refers, simply recites that the sundry civil bill of March 2, 1895, made provision for the work being under the direction of the Board of Engineers. So far as the proposal before the Senate is concerned, it has always been provided that the Army engineers should furnish the information. In that connection, I am sure the Senator will be interested in a letter I have received from the very organization of which I assume he speaks, the American Engineering Council. The letter is from their Washington office, 26 Jackson Place, is addressed to me, and reads:

AMERICAN ENGINEERING COUNCIL,
Washington, D. C., January 11, 1929.

Hon. WALTER E. EDGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR EDGE: I am glad to advise you that American Engineering Council has indorsed Senate Resolution 117, authorizing an investigation and survey for the Nicaraguan canal. I refer to your resolution now pending before the Senate.

You may make such use of this indorsement as in your judgment will aid you in accomplishing the purpose you have in mind. If there is any way in which we can be of direct assistance, please feel free to command us.

Sincerely yours,

L. W. WALLACE,
Executive Secretary.

Mr. HAWES. I will say to the Senator that in the flood-control work the Chief of Army Engineers and the Army engineers do not seem to want the cooperation or assistance of civilian engineers, and in a matter of this magnitude, a project of such great interest, I am sure the American people would be better satisfied if somewhere the President were given authority to place some civilian engineers on this work, cooperating with the Army engineers.

I can not quite understand the situation. We train our lawyers in this country and we use them in public service. We use them as district attorneys and judges. We train our doctors and we use them in the Health Service and we use them in the Army. We have painters who can paint the Capitol dome. But nowhere is the civilian engineer permitted by the Army engineer to cooperate in any of these projects. He is eliminated. He is the one scientific man in America who is eliminated from public service.

Mr. EDGE. Mr. President, there may be, and undoubtedly is, a great deal in what the Senator contends; but we have not eliminated the private engineer. We have provided an appropriation of $150,000, to be expended under the direction of the Secretary of War, for the purpose of ascertaining the facts and making a survey, and he may expend the money in any manner he sees fit, proper, and wise. So that under this resolution the Secretary of War unquestionably could employ the services of a consulting or of any other type of engineer.

Mr. HAWES. Would the Senator object to an amendment which would provide that a portion of this board should consist of civilian engineers?

Mr. EDGE. I would, Mr. President, for the reason that I want this survey to cost the Government as little as possible. I communicated with the Secretary of War and the Secretary of the Navy. We first provided, I think, $250,000. They investigated further, and later came to the committee saying that they felt that $150,000 would be sufficient to enable them to secure the information the committee desired. In view of the terms of their budget recommendation I do not feel that we should enlarge the cost to the Government.

Mr. HAWES. Was the Chief of Engineers consulted in the preparation of this resolution?

Mr. EDGE. Not by me, but I have no doubt he was consulted; he naturally would be as the head of that division of the War Department. I may say to the Senator that I have discussed with the Chief of Engineers the feasibility of this resolution and he is very enthusiastic to undertake it.

Mr. HAWES. I will say to the Senator that I am sympathetic with the program, but I am entirely opposed to the adoption of this resolution when this great army of civilian engineers is barred from public service.

Mr. EDGE. Why does the Senator take the position that they would be barred from public service?

Mr. HAWES. Because of the experience we have had in such matters in the Mississippi Valley.

Mr. EDGE. They are not legally barred, as far as the terms of this resolution are concerned.

Mr. HAWES. Why can we not write in the resolution a provision that civilian engineers shall be represented, so that there will be no doubt about it? I am sure that would satisfy the American people better.

Mr. EDGE. I have no deep-seated objection to that, except that I felt that the resolution in its present form would provide that opportunity without making it mandatory.

Mr. HAWES. It does seem a little strange, when the Senator's State and my State are issuing diplomas to engineers, and those engineers are receiving high positions in private concerns, and in the construction of private works, why they should be eliminated in a pioneering investigation of this kind.

Mr. EDGE. I take exception to the word "eliminated." They are not eliminated under the terms of the joint resolution.

Mr. HAWES. Mark my prediction, under its terms they will be eliminated. Civilian engineers were employed on the Panama Canal, in the original work.

Mr. EDGE. That is quite true, but does the Senator recall whether any legislation made it mandatory that civilian engineers should be employed?

Mr. HAWES. No; but this would place the whole matter in the hands of the Chief of Engineers. We know that the Chief of Engineers would not put on that board a civilian engineer if he could possibly avoid it.

Mr. EDGE. If the Senator will prepare an amendment I will consider it.

Mr. WHEELER. Mr. President——

Mr. EDGE. I yield to the Senator from Montana.

Mr. WHEELER. I was just going to ask the Senator this question, Whether the Army has not plenty of engineers, so that they could do the work without employing any outside engineers?

Mr. EDGE. I do not doubt that in the slightest degree. I assume they have an ample force to do this work, because

they have made no suggestion of any kind to the effect that they were not prepared to carry out the direction of the resolution.

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

Mr. EDGE. I yield.

Mr. BRUCE. Are there any treaty or other provisions for the neutralization of the Panama Canal in time of war?

Mr. EDGE. The Panama Canal?

Mr. BRUCE. Yes. I do not know that there are, and in that event might not a sea-level canal through Nicaragua be of the very greatest degree of value as an alternative in time of war in case the Panama Canal were seized by a hostile force?

Mr. EDGE. Mr. President, I dwelt on that point at considerable length several weeks ago. I think it is a most important safety insurance, one might say, for the Government to have two interoceanic canals. But I will say further that as far as this resolution is concerned we do not attempt a decision as to that.

Mr. BRUCE. I did not know whether the Senator had taken up that topic.

Mr. McKELLAR. Mr. President, if I may have the attention of the Senator from Maryland just a moment, the Senator is entirely right about that. As we all know, the Panama Canal was built under what is known as the Hay-Pauncefote treaty, which corrected or modified the old Clayton-Bulwer treaty of 1852. In this matter, if the Nicaragua Canal is built, it is not bound in any way by any treaty obligations or complications of any kind.

ELECTRIC-CURRENT RATES IN CANADA AND THE UNITED STATES

Mr. NORRIS. Mr. President, a few days ago, I think last Saturday, I made some remarks called forth by an article in Barron's Financial Weekly, and in that address I made some comparisons in accordance with a suggestion in that article. Since I spoke the other day I have obtained some additional figures, which I think ought to be added to what I presented at that time.

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

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. NORRIS. I yield.

Mr. EDGE. I, of course, have no means of knowing, but I had some impression from discussions with Senators who have not been entirely friendly to the proposed Nicaragua Canal legislation that they were only going to speak very briefly and would permit a vote before 2 o'clock. I am just wondering, if that is true, whether it is not possible to have that matter disposed of, now that we have had half an hour or more of discussion, and if we may have a vote on it before 2 o'clock?

Mr. NORRIS. I am not going to take the time until 2 o'clock, I will assure the Senator.

A comparison that fits in exactly, it seems to me, with those which I made the other day comes from Jamestown, N. Y. Jamestown has a municipally owned electrict-light plant which has been in operation about 34 years. It is claimed in the article from which I expect to quote that they are giving to the people of Jamestown the cheapest electric-light rates that are given to any municipality in the State of New York.

I want to read from an article in the November, 1928, issue of a magazine called Public Ownership, written by Mr. Samuel A. Carlson, who is a former mayor of Jamestown, N. Y., and president of the New York State Conference of Mayors. After giving some history in regard to the origin of the municipal plant at Jamestown and stating that it has been in operation for 34 years, he said:

> Current was then sold for domestic purposes and commercial purposes at a lower rate than had been offered by any private company, while at the same time yielding a profit. Since that time two more bond issues—

He had spoken of an original bond issue of $32,000.

> Since that time two more bond issues have been made for extensions and development to meet the increasing demand of the people for this service, with the result that the plant to-day represents an investment of $1,760,755.90, and has a cash surplus on hand of $355,966.

He has a little footnote at that point, in which he says:

> The superintendent of the plant, Mr. Melvin Swanson, informs me that in January, 1928, the lighting department had a surplus of half a million dollars of accumulated profits after giving the people of Jamestown the lowest rates in the State.

I quote again from the main article:

> Which added to the plant investment brings its assets up to $2,116,721. Deducting the outstanding indebtedness of $204,000 there remains for the people a clear equity of $1,912,721.

Quoting from further on in the article:

> The Jamestown plant generates power from coal and successfully competes with water power generated from Niagara Falls and supplied by a private syndicate, which succeeded in acquiring the franchise rights from the original private company to whom the city had granted a franchise prior to the establishment of the municipal plant.

Here we have a municipally owned plant, operating with coal, that must be shipped in on the railroad, in competition with a private plant which gets its power from Niagara Falls.

Often when these comparisons are made, particularly with some of the hydroelectric commission rates in Canada, those opposed to municipal ownership of public utilities say that we are unfair because we compare the rates here with a publicly owned corporation in Canada that gets its power so cheap from Niagara Falls. In the comparison I am now making the reverse is true. The privately owned company operating in Jamestown gets its current from Niagara Falls.

The municipally owned plant gets its current from a coal-operated plant, which coal it has to buy and it is not the cheapest coal in the world either because it has to be shipped in. Jamestown is not located at the mouth of a coal mine. Jamestown is not far from Niagara Falls. It is within transmission distance; I think probably less than 100 miles away.

The article then continues:

> The charges of this company for electric service—

Referring to the private company now. The private company gets its electricity from Niagara Falls and operates not only within the city limits but outside. The municipally owned company is handicapped by the laws of the State of New York in that it is not permitted to sell electricity outside of the municipal corporation limits.

> The charges of this [private] company for electric service, just outside of the city limits, are nearly double the rates charged by the municipal plant, although the private company is compelled as a result of the municipal competition to sell at the same low rates within the city.

This is another illustration that will demonstrate that the private companies can sell current in this country for much less than they are now charging. They are compelled to do so where they meet the competition of publicly owned plants, and this is an illustration of it. In the city of Jamestown, N. Y., the private company is selling electricity within the city limits of Jamestown at the low rate of 4.5 cents per kilowatt-hour, because that is the rate fixed by the municipal plant, and yet just outside of the city limits, where the municipal plant can not compete, it is charging practically double that rate.

Mr. President, I have here a list of a large number of municipalities in the State of New York, which list is contained in the article from which I am quoting. I ask unanimous consent to include this table at this point in my remarks without reading.

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

The table is as follows:

Jamestown: First 50 kilowatt-hours	$0.04½
Albany: First 200 kilowatt-hours	.08
Amsterdam: First 100 kilowatt-hours	.10
Auburn: First 40 kilowatt-hours	.10
Batavia: First 50 kilowatt-hours	.07
Beacon: Flat rate	.12½
Binghamton: Flat rate	.15
Buffalo: First 60 kilowatt-hours	.06
Cohoes: First 100 kilowatt-hours	.07½
Corning: First 20 kilowatt-hours	.10
Cortland: First 500 kilowatt-hours	.09
Dunkirk:	
First 10 kilowatt-hours	.06
Next 25 kilowatt-hours	.04
Elmira: First 20 kilowatt-hours	.08
Fulton: First 50 kilowatt-hours	.10
Glen Cove: First 300 kilowatt-hours	.10
Gloversville: First 150 kilowatt-hours	.09
Hornell: First 50 kilowatt-hours	.11
Hudson:	
First 10 kilowatt-hours	.12
Next 35 kilowatt-hours	.11
Ithaca:	
First 10 kilowatt-hours	.15
Next 40 kilowatt-hours	.14
Kingston: First 50 kilowatt-hours	.11
Little Falls: First 30 kilowatt-hours	.09
Lockport: First 60 kilowatt-hours	.10
Mechanicville: First 15 kilowatt-hours	.12
Middletown: First 200 kilowatt-hours	.11
Mount Vernon: First 800 kilowatt-hours	.11
Newburgh: Flat rate	.11
Niagara Falls: First 40 kilowatt-hours	.05
North Tonawanda: First 30 kilowatt-hours	.07
Norwich: First 100 kilowatt-hours	.17
Olean: First block	.08
Oneida: First block	.11
Oneonta: First 300 kilowatt-hours	.13
Oswego: First 300 kilowatt-hours	.05
Plattsburg: First 30 kilowatt-hours	.13

Rochester: Flat rate	$0.08
Rome: First 50 kilowatt-hours	.10
Salamanca: First 50 kilowatt-hours	.06
Saratoga Springs: First 100 kilowatt-hours	.10
Schenectady: First 30 kilowatt-hours	.10
Syracuse: First 25 kilowatt-hours	.07½
Sherill: First 50 kilowatt-hours	.08
Troy: First 300 kilowatt-hours	.08
Utica: First 30 kilowatt-hours	.08½
Watertown: First 50 kilowatt-hours	.09
Yonkers: Flat rate	.11

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

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New York?

Mr. NORRIS. I yield.

Mr. WAGNER. I want to say to the Senator that we had a hearing in Albany, when I was a member of the New York State Senate, upon proposed legislation which was intended to give to municipalities the power to issue bonds for the purpose of constructing their own lighting plants. There we had present the mayors of every municipality which had engaged in the business of generating and distributing to its residents electricity. In every instance the proof presented clearly established that the consumer was charged by the municipality a price lower than was charged by the private companies which the municipally owned company supplanted.

While I am on my feet I may say to the Senator that I was very much interested in the disparities in rates between the Canadian company and the Niagara Falls, N. Y., company, to which the Senator called attention the other day. We have time and time again in New York called attention to this disparity in our efforts to prevent the private exploitation of the St. Lawrence River potential water power. We have called attention to the fact that initially the State of New York made a blunder in Niagara Falls in not itself constructing the plant and using itself the diversion of the water of Niagara Falls to generate electricity. It would be enjoying, I am sure, cheaper rates than are now charged by the Niagara Falls Electric Co. That is the basis of our fight in New York, to prevent private interest—and has been at issue in several campaigns—from securing the control of the water power at the St. Lawrence River, when harnessed, but to preserve it for public ownership and control.

Mr. NORRIS. There is no doubt about what the Senator from New York has said, and I thank him for his interruption.

Mr. BRUCE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. NORRIS. I yield.

Mr. BRUCE. When the Senator from New York is making that comparison, may I ask if he makes due allowance in the matter of the municipally owned plant for taxes, and due allowance for depreciation, and due allowance for the fact that a municipal plant's deficit is very often covered up by the municipal tax rates?

Mr. NORRIS. Mr. President, I am very glad to yield to Senators, but I do not want to yield for the purpose of other Senators engaging in debate during the course of my remarks.

Mr. BRUCE. May I ask the Senator under what order we are proceeding? I thought we were proceeding under Rule VIII, and if so, I think the Senator from Nebraska has considerably exceeded his five minutes.

Mr. NORRIS. I am not limited to five minutes.

Mr. BRUCE. Under Rule VIII?

The PRESIDENT pro tempore. The joint resolution now before the Senate was taken up on motion.

Mr. BRUCE. Oh, I did not know that.

Mr. NORRIS. Mr. President, I have discussed the tax question, and I have laid tables and documents and statistics before the Senate by the volume. I am not going into the question of taxes now, but it is very easily disposed of. So far as taxes are concerned, they will never make a greater difference in the price of electricity to the consumer than to exceed a few mills on a kilowatt hour.

Now, reading further from this article, I wish to call attention to what the city of Jamestown did. Senators will remember that it had issued bonds in the amount of nearly $2,000,000 all together. It is now practically out of debt, only about $250,000 of the bonds being left, while the citizens are getting the benefit of this low rate. This article states:

All bonds have been paid out of the revenues. There has never been any tax levy for any purposes whatever in connection with the plant. If the city did not have competition and had exclusive sale of current and sold the same at the same rate at which the competing private company charges outside of the city, beyond municipal competition, there would be sufficient profit to wipe out all taxes for city and school purposes. In other words, the people save enough as the result of present low rates, through municipal ownership, to pay these taxes.

* * * * * * *

The saving to the people in low rates exceeds $5,000,000 during the last 20 years.

That is easily computed, and is an almost mathematical deduction. In Jamestown, however, a private company, getting its current from Niagara Falls, went into court and tried to obtain an injunction against the municipal company fixing such a cheap rate for electricity which they produced from coal that the private company claimed it was below the cost of production. It actually commenced a lawsuit. This article further states:

Some time ago the private company tried to persuade the city officials to enter into a contract by the terms of which the private company offered to furnish lighting for street purposes at a lower rate than now supplied by the city, but with the stipulation that the city bind itself not to make any further enlargement in the capacity of the municipal plant. There were many citizens and some members of the city council who were captivated by this alluring proposition and urged its acceptance on the part of the city. But the friends of the municipal ownership, however, were able to discern the scheme back of this proposition, which meant in reality crippling municipal service and placing the city eventually at the mercy of the private company.

One of the leading newspapers of the city advocated this scheme, and there has been a continuous effort to mold public sentiment against the public plant.

So successful—

I am now quoting from an editorial in one of the newspapers published in Jamestown:

So successful has been the management of the municipal plant that those in control decided upon a considerable reduction in rates, and then a strange thing happened. The private power company that has been in competition with the municipal plant filed a petition with the utility commission of the State insisting that the municipal plant must raise its rates.

There you have it—the private company in competition with the municipal company went before the commission and filed a petition demanding that the municipal plant be compelled to increase its rates. The article continues:

This is such an astonishing procedure that it has led the Jamestown Journal, in a long editorial in its issue of August 14, to declare that this is—

"Probably one of the most unique and unusual proceedings that has ever claimed the attention of the Public Service Commission of New York. It is a proceeding to compel a corporation (municipality) to raise electric light rates."

The editorial then goes on to state:

"The proceeding is brought by the Niagara Power Co. against the city of Jamestown. The Niagara company contends that the rates are below cost, hence impose an unlawful burden on the taxpayers, of which this company is one, and incidentally makes competition impossible without being confiscatory of its property."

* * * * * * *

On the specific question as to whether the reduced rates proposed by the municipal plant are sufficient to meet all costs of operation, maintenance, capital charges, sinking fund, etc., the representatives of the city contend that in spite of the lower rates in effect during 1927 the plant earned a net profit of $162,336.43.

That is in one year under the low rate which the private company said was confiscatory.

Mr. DILL. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. I yield.

Mr. DILL. I was not in the Chamber during the beginning of the Senator's remarks, and I desire to ask him what percentage of the business has the municipal plant?

Mr. NORRIS. It has most of the business, I judge from what I have read, although I can not give specific figures as to that.

Mr. DILL. Do the returns of the other company show a deficit?

Mr. NORRIS. Oh, no; it is one of the Power Trust companies of the United States.

Mr. DILL. I thought, possibly, that it was one of those the trust was sustaining in order to compete with the municipally owned plant.

Mr. NORRIS. No; there is not anything to indicate that they ever had a deficit.

The profit that I have just read was over and above all charges required by the city charter. And that was the profit in 1927, just a year ago.

Furthermore, the plant now has on hand the sum of $481,060.76 to provide for the extension, improvement, and betterment of the plant and its equipment. Thus all reasonable contingencies are provided for.

The city further replies to the contention of the private power company that the taxpayers of the city of Jamestown have not contributed one single dollar toward the erection, improvement, or operation of the

plant. The initial costs and a portion required for improvements and extensions have been met by bond issues, it is true, but the principal and interest of such bond issues have been paid out of the earnings of the plant itself and such earnings have been paid entirely by the consumers of the current sold by the plant.

* * * * * * *

Another notable and very significant feature in the recent development of the Jamestown plant is reported to us by the superintendent [of the plant], Mr. Melvin O. Swanson.

He says:

That at a special meeting of the board of public utilities held on October 18 it was decided to advertise for bids for a new 12,500-kilowatt turbogenerating unit. This unit, when installed, will be the largest in the plant, and will more than double the present generating capacity.

Mr. Swanson, the superintendent, continues:

This equipment will be purchased from revenues, and it is planned to expend well over half a million dollars in enlargements.

This money—

Says the superintendent—

we have saved during the last four or five years, and we now have sufficient capital on hand so that we can proceed immediately with the authorization and purchase of the equipment and extensions to the buildings.

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

Mr. NORRIS. I yield.

Mr. DILL. For how many years has this municipal plant been in operation?

Mr. NORRIS. It has been in operation for 34 years.

Mr. DILL. When it started was there a private plant then furnishing electricity to the city?

Mr. NORRIS. Yes; and there still is.

Mr. DILL. Does it own its own power site?

Mr. NORRIS. The municipal plant?

Mr. DILL. Yes.

Mr. NORRIS. Yes; it has a steam plant, as I have already told the Senate.

The article continues:

Thus the Jamestown municipal plant not only reduced rates to the lowest in the State of New York, but it has paid for itself out of earnings, accumulated a sufficient surplus each year to pay for extensions and improvements, and is at the present moment adding new equipment that is doubling the capacity of the plant. And it has all been paid for out of the earnings at rates so low that the private power companies that are competing with the plant have been compelled to resort to the most desperate measures in trying to protect themselves from the extremely low rates made possible by the success of the municipal plant.

Mr. President, I want to give a sort of summary of what has been accomplished by this plant. From the operation of the lighting plant we find the following deducible facts:

In the year 1927 this plant generated practically 20,000,000 kilowatt-hours more than was developed in the year 1917, 10 years before.

Since 1917 it has just about doubled the number of poles, amount of wire, and the number of street lights.

It had over three times as many consumers in 1927 as in 1917.

During the past three years it has averaged over 90 per cent of all new connections. In other words, out of every 100 electrical connections made by the city of Jamestown the municipality has secured 90 of them. That shows, I take it, that they are getting 90 per cent of the new business in the city, showing that the people of Jamestown are satisfied with the operation of their own plant.

The net gain in profits for the year 1927 was approximately fifteen times the profits of the year 1917, and still they have been cutting the rate down lower and lower.

The municipal plant investment in the year 1927 was over five times the investment of 1917.

The total bonds outstanding is less in dollars and cents than the profits of one year.

The total cash receipts or collections in the year 1927 were over five times the collections in 1917, and it should be noted that the $715,076.77 includes the repayment of loans in the amount of some $185,000 and does not represent only cash receipts from current sold.

Speaking of loans, some one will say, "What business have they to loan money? To whom did they loan money?" The answer is that this municipal plant loaned to the city more than $125,000; so that they not only kept up the plant, they not only kept down the rate, but they made money enough to loan to the city more than $100,000.

The cash in the bank at the close of business in the year 1927 was approximately $235,416.16. In 1917, at the close of business that year, they had only $174.78 in bank. They have demand loans—here it comes—in the amount of $120,550, which they consider the same as cash or bills receivable, for it is money loaned on demand to the city council. So this really gives a balance of $355,966.16, with some contingent liabilities outstanding in the form of payments yet to be made on buildings, condensers, and turbine equipment; but all of those contingent expenses put together are less than $25,000. All of these extensions and improvements to the entire plant have been made out of the earnings of the plant itself, for even the bonds outstanding are being retired as rapidly as the issue calls for without taxing the citizens one penny.

That synopsis was taken from the records in December, 1927.

There is one other comparison that I neglected to make the other day of these rates right along the Canadian border.

In the city of Detroit the private company supplying the consumers in domestic service charges them 10 cents per kilowatt-hour for the first 30 hours and 4 cents for the next 120 hours. Just across the line from Detroit is Windsor, getting its electricity from the publicly owned hydroelectric commission of Canada; and the consumers in Windsor, just across the river, pay 2½ cents for the first 60 kilowatt-hours and 1¼ cents for all over that; and yet the electricity that supplies the city of Windsor comes from Niagara Falls and is carried over transmission lines 248 miles.

These few remarks, Mr. President, ought to have been made the other day when I was comparing rates; and I add them now because they were neglected at that time.

PROPOSED NICARAGUAN CANAL

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 117) authorizing an investigation and survey for a Nicaraguan canal.

Mr. DILL. Mr. President, I regret that I can not agree with the Senator from New Jersey [Mr. EDGE] in his desire to have passed at this time this joint resolution looking to the construction of another canal across Central America.

I have no desire to hold up any legislation that I think is not detrimental to the best interests of the country; but, Mr. President, as far as I can understand the Senator from New Jersey has given no reason why this action will be necessary for many years to come.

I note in the report that the figures are given showing the increase in tonnage of the Panama Canal from 1915 to 1927; and the Senator said that he thinks about 50 per cent of its facilities are now being used. It never has been my privilege to visit the Panama Canal, but I have had considerable information of an authoritative nature on the subject; and I am told by those who claim to know that no ship can enter the canal before 6 o'clock in the morning, and no ship can enter the canal after 2 o'clock in the afternoon, for the reason that there is no night shift on the canal, and therefore the canal can be used only about eight hours of the day.

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

Mr. DILL. Yes.

Mr. McKELLAR. I will give the Senator the exact information that he desires about it. This is from the report of the Governor of the Panama Canal Zone, on page 17 of his last year's report:

The schedules outlined above for dispatching vessels through the canal require the Atlantic locks to be operated from 7 a. m. to 11 p. m. daily, and the Pacific locks from 6.50 a. m. to 10.50 p. m. daily. Lengthening the hours of transit necessarily would prolong the hours of lock operation, which would mean added difficulties and increased costs of operation not only at the locks but for other divisions of the canal as well. Increase of traffic may eventually make an extension of operating hours advisable, but under present conditions it is not warranted.

So they do have two shifts; they operate the canal on one side from 7 in the morning until 11 at night, and on the other side from 6.50 in the morning until 10.50 at night.

They say that it will be very much more expensive. The increase in the transit of ships is from 1,000 to about 5,500. The traffic has been growing by leaps and bounds; and it is believed by those who are best posted, and if the Senator will examine the authorities I have heretofore given it will be found, that within 10 years, even running three shifts, using every moment of the 24 hours of the day, they can not put through the Panama Canal the ships that will offer there.

Mr. DILL. The Senator makes a wild statement that is not based on the best judgment of those who have computed the commerce; and until we do find ourselves pressed for additional facilities it seems to me that we could well afford to let this matter rest.

Mr. EDGE. Mr. President, will the Senator yield for a question?

Mr. DILL. I yield to the Senator.

Mr. EDGE. I do not want to take the Senator's time, because I am naturally very anxious that we shall reach a vote; but the Senator suggests that we can well afford to allow the matter to wait. Will the Senator state what possible harm could follow the securing of information, and then, so far as an actual decision upon the part of Congress is concerned for construction, allow that to wait until the time when it would seem wise? What objection can there possibly be to getting information?

Mr. DILL. I think there are a good many objections. I mentioned one of them the other day. I will mention it again.

I notice in this joint resolution that it is proposed that the Chief of Engineers may establish stations and maintain them along the proposed route. I am one of those who believe that the Government is continually finding excuses for keeping the marines in Nicaragua, and I think this will be just another excuse to have some more boys down there and keep them there permanently. So far as I am concerned, I am not going to give my consent to doing anything that will give any additional excuse or reason why American boys should be kept in Nicaragua. They have had the election down there that it was intended to have, and still the marines stay in Nicaragua, with no suggestion, even, that they shall be withdrawn.

I started to call attention to the fact that in the report there is printed a letter from the Secretary of the Navy listing the different investigations that have been had regarding this canal. This is not any unknown, undeveloped, unstudied subject.

They list the fact that in 1872 Captain Lull, of the United States Navy, made an investigation and report.

In 1876 there was an investigation by the Interoceanic Canal Commission.

In 1884 Civil Engineer Menocal, of the United States Navy, made an investigation.

In 1895 there was an investigation by the Nicaragua Canal Board.

From 1897 to 1899 there was an investigation by the Nicaraguan Canal Commission.

In 1901 there was an investigation by the Isthmian Canal Commission.

Mr. McKELLAR. And there have been no reports or investigations since; for 27 years.

Mr. DILL. No; there have been none since, because we built the Panama Canal. The Panama Canal has taken care of all the needs of commerce and I believe it will continue to do so.

The Senator from Tennessee, in answer to the suggestion that they were not using the canal as many hours as they can, read the hours that the shifts were working on the two sides. At any rate, they evidently are not running the canal even to 50 per cent of its capacity, because the canal is in actual use only about 50 per cent of the time it is now open; and I repeat that there are many other waterways in this country, there are many other improvements in this country, that need attention far more than the building of a new canal in Central America; and I am especially opposed to anything being done until it becomes absolutely necessary that will necessitate or give reason or color of excuse for keeping the marines in that part of the world.

I note in this report that there is some discussion of the fact that what it is really desired to determine is what it is going to cost to build a sea-level canal; and that is going to be far different from building the canal for which estimates were made, as explained by the Senator from New Jersey and the Senator from Tennessee, of $70,000,000 to $200,000,000. If you are proposing now to build a sea-level canal, you are proposing to involve the country in an expenditure of tremendous sums of money.

Mr. EDGE. Mr. President, we are not proposing to build any canal. We are proposing to get the information as to whether a sea-level canal or a lock canal is feasible.

Mr. DILL. But the report says it has already been determined. The Secretary of the Navy, in his report, says that it has already been determined that it is feasible. The Secretary of the Navy, in fact, practically says that no investigation is needed, but that they have not any objection to it if we want to make more investigations.

Mr. EDGE. Does the Senator refer to the Nicaraguan canal or the Panama Canal when he makes that statement?

Mr. DILL. This is about the Nicaraguan canal.

Mr. EDGE. I very much doubt any commission ever having reported that a sea-level canal at Nicaragua was feasible. I have never heard it.

Mr. DILL. Oh, well, now, the Senator takes my own argument. I said that this joint resolution was looking to a sea-level canal, which would involve a tremendous expenditure, and the Senator then said that he did not know about that. Now he comes back and says that the reason for it is to get a sea-level canal.

Mr. EDGE. The Senator from New Jersey did not say anything of the kind. The Senator says we need the information; and I have yet to hear from the Senator from Washington any good reason why the Senate should not have the information.

Mr. DILL. I think we had better find out how much we can enlarge the Panama Canal and what that will cost.

Mr. McKELLAR. That is provided for in this very joint resolution.

Mr. DILL. Oh, yes; and, using that as an excuse, you try to tie on Nicaragua.

Mr. McKELLAR. Not at all. I will say to the Senator that so far as bringing the marines out of Nicaragua is concerned, there is a joint resolution here, introduced by the Senator from Alabama [Mr. HEFLIN], to have that done. I shall be delighted to join with him in vote for that joint resolution and having the marines brought out. I do not believe that they ought to remain there any more than the Senator from Washington does. It is a shame that we have kept them there this long. We hope we have done some good with them, but they certainly ought to come out.

Mr. DILL. Of course, if the Senator will help get that joint resolution passed before we attempt to pass the Nicaraguan joint resolution, I will confess that one of my reasons would be removed.

Mr. McKELLAR. I shall be very happy to do it.

Mr. DILL. But you can not let this joint resolution pass in the hope that you will pass the joint resolution to take out the marines.

In this letter from the Secretary of the Navy, speaking of these various commissions that have made the investigations, the Secretary says:

> All of those who have made sufficient study of the problem to qualify them to form an opinion agree that an interoceanic canal across Nicaragua is feasible and there is general agreement as to the route which the canal should take. The route determines the terminal ports and the prospective use of the canal would determine the extent of the harbor facilities to be provided.
>
> The report of the Isthmian Canal Commission of 1901 shows what rights, privileges, and franchises, if any, were held and owned by any individuals, partnerships, associations, or corporations in respect of the construction of such a canal and what work was done by each or any of the above up to the date of submission of the report. Any subsequent concessions or franchises could be ascertained from the Department of State or by that department from the Nicaraguan and Costa Rican Governments.

These are statements made by the Secretary of the Navy, showing that it is entirely unnecessary to have any new commission, with its employees, go down into Nicaragua and establish stations, such as they would do under this resolution, and when somebody might create some kind of disturbances it would be necessary to have an army of marines down there.

Mr. McKELLAR. Mr. President, let me explain to the Senator exactly what this means. Under the Bryan treaty we agreed to pay $3,000,000 for the Nicaraguan route, and we have already paid it and we own a route there, but it was left indefinite, it has never been surveyed, and we have no particular route. A tentative suggestion has been made that it goes through the lake of Nicaragua and along the San Juan River, but there has been nothing definite about it; and what we want to do, under this resolution, is really to locate our property; and in order to locate our property there, survey it and locate it, and see what we have, tentatively, at least, we are obliged to have the necessary stations. There is no way around it.

Mr. DILL. I do not doubt at all what the Senator says, that if we go in to get this information and locate this route, we will have stations, and this $150,000 is only a beginning. In fact, this resolution called for $500,000 when it was originally introduced, and I think at least that much will be expended before we get through with it. Then the Bureau of the Budget suggested that it be cut to $250,000 and now it has been cut down to $150,000. After they go down there and work for a year or two, they will come back and say, "We have gotten the work started and we have this money invested in the investigation, and we will have to have some more." Then, when we have spent three or four hundred thousand dollars and located this route, and determined all these details about a sea-level canal, we will be told that we have an investment of $3,000,000, which we paid for our route, and that we have paid out all this other money, and will have to have this canal pretty soon, and therefore we should begin to build it.

Once that is done, it will become necessary for the Government's interests to be protected. It is within the memory of all of us here how, when the Panama Canal was built, we saw fit and found it necessary to have a Republic of Panama formed, which would be dominated by the United States Government, and just as certainly as we ever go down to put this proposed canal through Nicaragua, there will be a strip of country along the canal that will be practically dominated and controlled by the American Government. A large part of the purpose behind this is the exploitation of Nicaragua. A large part of the sentiment behind this is being built up by those who hope to profit by the exploitation of the resources of Nicaragua, and the floating of the American flag over that part of Central America.

Until conditions have developed at Panama which show that there is necessity, at least a pressing need, for additional canal facilities, I think we ought to use our money for investigation and study and survey purposes in connection with the waterways of our own country of a domestic nature.

I want now to read further from the letter of the Secretary of the Navy:

> The Isthmian Canal Commission stated "The Republics of Nicaragua and Costa Rica are untrammeled by any existing concessions or treaty obligations and are free to grant to the United States the rights necessary for the attainment of these ends" (November 16, 1901, Report, p. 174). The Bryan-Chamorro treaty of August 5, 1914, between the United States and Nicaragua assures to the United States in perpetuity the exclusive right to build this canal.

So there is no new right we need to acquire. We have gotten those rights, and we have paid for them. There is no need for sending a lot of men down there now, unless it be preparatory to actually building the canal. If we are going to propose the building of a sea-level canal, we must have a revision in cost that will not stop at a few millions; it will run up to probably a billion or several billions of dollars, rather than the amount that has been suggested here.

I say, further, that the Secretary of the Navy reports there is no need for this investigation. I read further from his letter:

> The Navy Department considers that previous boards and commissions have made exhaustive studies of the proposed Nicaraguan canal and have ascertained that a canal is feasible. Practicable routes have been investigated and, subject to minor changes, the most practicable route has been ascertained. The Navy Department, however, sees no objection to the proposed legislation which will authorize an investigation and survey for the purpose of bringing up to date the information obtained by the Isthmian Canal Commission and for collecting additional information.

So that the report of the Secretary of the Navy, after setting out the fact that we have all the information we really need to have, then says that they are not going to object to it if Congress wants to pass it. But it is clear from their report that the Secretary of the Navy believes that we have all the really needful information, except what might be needed to determine whether we are going to build an ocean-level canal or not, and if that is what is in the minds of those who want to build this canal, then they must prepare the country for enormous appropriations, and for the spending of amounts of money such as have never been spent on any great waterway of this kind.

The Secretary goes on:

> The Navy Department further sees no objection to the amendment intended to be proposed by Senator EDGE which will authorize an engineering survey and investigation for the purpose of determining the possibility and cost of enlarging the Panama Canal to the extent which may be necessary to meet the future needs of interoceanic shipping.

In other words, before we have determined to what an extent we can enlarge the Panama Canal, or what it will cost to enlarge it, we are to set up an investigation of building an ocean-level canal in Nicaragua. It seems to me we ought to be reasonable and sane in our spending of money looking to the building of a great waterway of this kind. Certainly, after the number of investigations we have already had, we will not be without information when the time comes when there is really need for a new canal.

Mr. EDGE. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Washington yield to the Senator from New Jersey?

Mr. DILL. I yield.

Mr. EDGE. In view of the fact it is apparent that the Senator is not going to permit a vote, I want to set his mind at rest so far as the possibility of a sea-level canal in Nicaragua is concerned, speaking, of course, from a layman's standpoint. My best judgment based on some information is that the cost would be absolutely prohibitive to build a sea-level canal in Nicaragua. But it has been discussed so often in the press of the country and in other ways that while the engineers are considering the feasibility of a lock canal and as to the best location, the information necessary for the building of a waterway on sea level might just as well be ascertained; but if the Senator has lurking in his mind the idea that there is some hidden effort to put the Government to billions of dollars of expense to build a sea-level canal, it is entirely his own imagination. Nevertheless, I repeat, there is no reason in the world why the Senate of the United States should not have the full information.

Mr. DILL. Mr. President, I was led to discuss the sea-level canal largely because, when I demonstrated from the report of the Secretary of the Navy, that the information at present available in the reports made shows that the other canal is feasible, the Senator rose and pointed out that no commission had yet declared a sea-level canal was feasible. When the Senator suggested that, I was led to think that the purpose of this resolution was to determine the feasibility of a sea-level canal, and the cost, and the other attendant facts that would have to be determined.

Mr. EDGE. I am afraid the Senator is permitting his imagination to influence his line of argument on that particular phase of the subject.

Mr. DILL. I secured the idea from the Senator from New Jersey when I mentioned the fact that the Secretary of the Navy had already reported that it was feasible. The Senator then rose and insisted that nobody had ever stated whether a sea-level canal was feasible or not feasible, and he wanted to get the informatiton.

Mr. EDGE. Is there any objection to getting the information?

Mr. DILL. No; but why rush it; why be in such a hurry. What is the reason? The Panama Canal is not yet used to 50 per cent of its capacity.

Mr. McKELLAR. Oh, more than that.

Mr. DILL. Suppose more than 50 per cent is used. Apparently the volume can be increased. What is the reason for the tremendous pressure that would make us rush this information on the Nicaraguan situation?

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

Mr. DILL. I yield.

Mr. SMITH. May I ask the Senator if the sea-level feature was not one of the grounds upon which former Senator Morgan, of Alabama, stressed the advisability of using Nicaragua as against Panama? Of course, I have not read up on the matter lately, but my impression all along was that the tremendous advantage of a sea-level canal, everything else being equal, was so manifest to everyone that he did not see why, at such an extraordinary additional cost, we accepted Panama in place of Nicaragua.

Mr. McKELLAR. Mr. President, the Senator is entirely right about that. That is exactly what occurred. Senator Morgan was firmly of the opinion that a sea-level canal could be built there, and that if it could it would manifestly be to the interest of the United States to build it there.

Mr. DILL. Then my suggestion was not so wild when I said that the purpose back of this may be to build a sea-level canal, to which the Senator from New Jersey took such strong exception and talked about the awful expense that was being suggested.

Mr. EDGE. If it could be done, it would be very much better done that way.

Mr. DILL. I am certain that if the intention is not to build a sea-level canal there is plenty of information on the subject available now.

Mr. EDGE. The Senator speaks of the urgency, of the haste demonstrated, in endeavoring to get this information now, as if we were not faced with the necessity of making decision certainly within a reasonably short time. Was it urgent when the Panama Canal Commission was appointed some 28 or 29 years ago and reported 27 years ago? There was not much knowledge and not a great deal of argument, but there was no fixed sentiment whatever in the country for the building of any canal. Now we have a canal, and now we are faced with the constant problem of administering the canal, and it becomes a pertinent question for Congress to deal with.

Mr. DILL. The Senator knows that for many years there was a great demand for a canal to connect the two oceans, and the question of whether it should be a canal across the Isthmus of Panama or across Nicaragua was a debated question, and naturally a commission to study that was necessary. But I repeat, I have not seen any reason for the urgent action which the Senator from New Jersey keeps insisting upon. I do not know who it is who is calling upon the Senator from New Jersey to rush this matter through. I do not know anybody who can not get his ships through from the Pacific to the Atlantic. Is there some

great organization that fears that one of these days they will not be able to get their ships through the canal? There ought to be some showing that there is a public demand of some kind before we embark upon a program that will cost literally hundreds and hundreds of millions of dollars.

Mr. EDGE. Does the Senator think a report of the Governor of the Panama Canal should be given any consideration whatever?

Mr. DILL. I think the report of the Governor of the Panama Canal does not show any particular demand for building a new canal yet.

Mr. HAWES. Mr. President, I send to the desk an amendment to the resolution, which I ask to have read.

The PRESIDENT pro tempore. Without objection, the amendment will be received and will lie upon the table.

Mr. HAWES's amendment was to strike out all after the resolving clause and to insert:

That the President is hereby authorized to appoint a Nicaraguan canal commission to be composed of five members, three of whom shall be officers in the Corps of Engineers of the United States Army, and two shall be eminent civilian engineers. The civilian engineers shall be paid such compensation as the President may direct. The President shall designate one of the members to act as chairman.

SEC. 2. The Nicaraguan canal commission appointed under authority of this act shall make a full and complete investigation and survey for the purpose of revising and bringing down to date the report of the Isthmian Canal Commission transmitted to the Congress December 4, 1901, and for the purpose of collecting the additional information and data necessary in order to ascertain (1) the most practicable route for an interoceanic ship canal by way of the San Juan River and the Great Lake of Nicaragua or by way of any route over Nicaraguan territory, including a suitable harbor at each of the termini thereof; (2) the feasibility and approximate cost of construction and maintenance of such canal; and (3) the cost of acquiring all private rights, privileges, and franchises, if any, pertaining to such route. The investigation and survey shall be made upon the basis of a canal having a capacity sufficient for the convenient passage of vessels of such tonnage and draft as may reasonably be anticipated.

SEC. 3. The Nicaraguan canal commission shall establish and maintain during the investigation and survey thereafter such stations as it deems necessary for gauging the water supply available for the operation of the canal.

SEC. 4. The Nicaraguan canal commission shall also make an engineering survey and an investigation for the purpose of determining the possibilities and cost of enlarging the Panama Canal to the extent which may be necessary to meet the future needs of interoceanic shipping.

SEC. 5. The Government of Nicaragua having by treaty with the Government of the United States, signed at Washington on August 5, 1914, and duly ratified as required by the laws of both of said Governments and proclaimed June 24, 1916, granted in perpetuity to the Government of the United States forever free from taxation or other public charge, the exclusive proprietary rights necessary and convenient for the construction, operation, and maintenance of an interoceanic canal, by way of the San Juan River and the Great Lake of Nicaragua, or by way of any route over Nicaraguan territory, the details of the terms upon which such canal shall be constructed, operated, and maintained to be agreed to by the two Governments.

The President of the United States is hereby authorized and empowered to enter into negotiations for an agreement upon the details of the terms under which such canal may be constructed, operated, and maintained: *Provided*, That nothing contained in this resolution shall be construed to bind the United States to build said Nicaraguan canal.

SEC. 6. The Senate of the United States having incorporated in its resolution advising and consenting to ratification of the treaty with Nicaragua, as aforesaid, a declaration "that in advising and consenting to the ratification of the said convention as amended such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that nothing in said convention is intended to affect any existing right of any of the said named states," namely, Costa Rica, Salvador, and Honduras, the President is authorized and empowered to enter into negotiations with said States and determine whether they, or any of them, have any interest in said proposed canal.

SEC. 7. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of $150,000, to be expended by the Nicaraguan canal commission for the purposes of this resolution and to remain available until expended; and there are hereby authorized to be appropriated such additional sums as may be necessary for such purposes.

SEC. 8. The President is requested to report to the Congress, as soon as practicable, not later than two years, the results of the investigation and survey, together with such recommendations in connection therewith as he deems advisable.

Mr. WHEELER. I was not here when the discussion started, and I want to ask the Senator with reference to how long it will be before the Panama Canal will be used to its capacity.

Mr. DILL. Nobody knows. There are different estimates. It is said that it is now used to about 50 per cent of its capacity, and the facilities at the Panama Canal, it is admitted, can be greatly enlarged. To the part of the resolution relating to the Panama Canal I have no objection, and if the Senator will amend the resolution so as to make it provide simply for the spending of money to find out what it will cost to enlarge the Panama Canal I will withdraw any objection I have to the resolution. What I object to is the part of it providing that we shall go into Nicaragua and start upon the Nicaraguan canal.

Mr. EDGE. In other words, the Senator does not want us to investigate the reason for having made an investment of $3,000,000.

Mr. DILL. That was investigated and decided upon long before we made the investment of $3,000,000, as the Senator well knows. No administration and no Congress would have appropriated $3,000,000 if the matter had not been sufficiently investigated.

Mr. EDGE. But since we have made the investment the Senator does not want us to follow it up and make a completed investigation?

Mr. DILL. When we are ready to build a Nicaraguan canal, and actually consider it, it will be plenty of time to make the necessary borings and do the necessary investigating work.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, House bill 11526, the cruiser bill.

Mr. HALE. Mr. President——

Mr. DILL. Mr. President, I still have the floor. I do not lose the floor merely because the hour of 2 o'clock has arrived.

The PRESIDENT pro tempore. The Senator from Washington is correct. He is entitled to the floor.

Mr. DILL. Mr. President, as I was saying when the hour of 2 o'clock arrived, when the time comes that we are in real need of additional facilities for ships to cross from one ocean to the other I shall be glad to assist in the passage of a joint resolution to appropriate the necessary funds for the purpose indicated. If the present joint resolution were confined to learning whatever facts it is necessary to know with reference to the enlargement of the Panama Canal, I should be glad to favor it, but my objection is to tying up with a clearly desirable request, namely, the securing of information about Panama, an undesirable plan to start on an investigation of the facts as to a sea level in Central America.

Mr. President, I understand the cruiser bill is the unfinished business and should come before the Senate at 2 o'clock. I do not care to occupy the time of the Senate in discussing the canal resolution any further during the time when the unfinished business should be before the Senate.

CONSTRUCTION OF CRUISERS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

Mr. WALSH of Montana, Mr. HEFLIN, Mr. HALE, and Mr. JOHNSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. HALE. Mr. President, will the Senator yield to enable me to submit a unanimous-consent request?

Mr. HEFLIN. Mr. President, I had addressed the Chair twice and was standing in my place before the Senator from Washington [Mr. DILL] had concluded and yielded the floor. I wonder if there is anything wrong with the eyesight of the Chair?

The PRESIDENT pro tempore. The Chair will have it examined. Meantime the Senator from Montana is recognized.

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Ashurst	Burton	George	Hastings
Barkley	Capper	Gerry	Hawes
Bayard	Caraway	Gillett	Hayden
Bingham	Copeland	Glass	Heflin
Black	Couzens	Glenn	Johnson
Blaine	Curtis	Goff	Jones
Blease	Dale	Gould	Kendrick
Borah	Dill	Greene	Keyes
Bratton	Edge	Hale	King
Brookhart	Fletcher	Harris	La Follette
Bruce	Frazier	Harrison	McKellar

McMaster	Phipps	Smith	Wagner
McNary	Pine	Smoot	Walsh, Mass.
Mayfield	Reed, Pa.	Steiwer	Walsh, Mont.
Moses	Robinson, Ind.	Stephens	Warren
Neely	Sackett	Swanson	Waterman
Norbeck	Schall	Thomas, Idaho	Watson
Norris	Sheppard	Thomas, Okla.	Wheeler
Nye	Shipstead	Trammell	
Oddie	Shortridge	Tydings	
Overman	Simmons	Vandenberg	

Mr. McKELLAR. I desire to announce that the junior Senator from Tennessee [Mr. TYSON] is unavoidably detained because of necessary absence from the city. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present. The Senator from Montana [Mr. WALSH] has the floor.

Mr. HALE. Mr. President, will the Senator from Montana yield to me to enable me to submit a unanimous-consent request?

Mr. WALSH of Montana. I yield to the Senator for that purpose.

Mr. HALE. I desire to submit the following unanimous-consent request, that after the hour of 2 o'clock on Wednesday, January 30, 1929, no Senator shall speak more than once or longer than 15 minutes upon the bill H. R. 11526, or more than once or longer than 10 minutes upon any amendment offered thereto.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request made by the Senator from Maine?

Mr. WHEELER. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. SWANSON. Mr. President, let us see if we can not reach an agreement by yielding to any Senator who wants further time for debate.

Mr. BORAH. Mr. President——

Mr. HALE. Has the Senator from Idaho any suggestions to offer?

Mr. WALSH of Montana. I understood there was objection to the request of the Senator from Maine.

The PRESIDENT pro tempore. The junior Senator from Montana [Mr. WHEELER] objected.

Mr. HALE. Would the Senator offer any suggestion that would meet his views about a unanimous-consent agreement?

Mr. WHEELER. I may do so later, but not at this particular time.

Mr. SWANSON. Would the Senator agree to limit debate beginning next Friday?

Mr. WHEELER. I would not agree at this particular time to any specific time to vote upon the measure.

Mr. HALE. I had hoped very much that we could get some kind of an agreement.

The PRESIDENT pro tempore. May the Chair suggest to the junior Senator from Montana that the unanimous-consent proposal of the Senator from Maine is not to fix a time to take a vote but merely to limit debate.

Mr. HALE. I hope very much that we may reach some kind of an agreement. Otherwise we shall have to hold night sessions, and many Senators do not like to have that done.

Mr. NORRIS. Mr. President, the Senator, in my judgment, is too early with his request. Those who have favored the bill have had unlimited time to debate it.

Mr. HALE. Everyone has had unlimited time.

Mr. NORRIS. Yes; but the time has been taken by those who favor the bill. Let the debate run on a while. Let those who want to make extended speeches—and I am not one of them, I will say to the Senator—make them, and then we can reach an agreement, I think, without any trouble to limit debate. The Senator, after he has been listening to long speeches by those who favor the bill, ought not to ask that a limitation be put on those who are opposed to the measure. I shall not consent to it at this time.

Mr. HALE. I thought my proposal would give Senators ample opportunity to be heard, but if the Senator thinks not, perhaps we can arrange differently.

Mr. NORRIS. We ought to do like we usually do—let debate run along until everyone has had an opportunity to present his views.

Mr. HALE. In the meanwhile, I give notice that to-morrow I shall ask the Senate to remain for a night session, and I shall be obliged to continue that plan unless we can make some arrangement for an early termination of the debate.

The PRESIDENT pro tempore. Objection is made to the unanimous-consent request submitted by the Senator from Maine. The Senator from Montana [Mr. WALSH] has been recognized.

Mr. HALE. Mr. President, will the Senator yield again?

The PRESIDENT pro tempore. Does the Senator from Montana yield further to the Senator from Maine?

Mr. WALSH of Montana. I yield.

Mr. HALE. I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 12 o'clock noon to-morrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and it is so ordered.

Mr. WALSH of Montana. Mr. President, it is perfectly evident that the construction of the cruisers contemplated by the bill under consideration looks to a war primarily with Great Britain and secondarily with Japan. No one has intimated any likelihood even of the most remote nature of a clash with any other country, rendering it prudent to expend a quarter of a billion dollars for the extension of our Naval Establishment. No one has ventured the opinion that, as it stands, it is not adequate to meet any contingencies that may arise out of any controversy in which our country may become involved with any other, save only the two mentioned.

It is not to be understood that any fears have been expressed or even felt of the prospect of war, so far as the future can at present be foreseen with either of those powers with which we are now happily on the most amicable terms. With the one we have an unbroken record of peaceful and friendly relations, and with the other 115 years have gone by since the specter of war last divided us, during all of which time, so little was a resumption of hostilities to be expected, that 3,000 miles of common frontier has remained unfortified by either nation.

Some acute differences have meanwhile arisen between the United States and Great Britain, but they have all been adjusted by pacific means, and no reason is apparent for doubting that, except in a contingency to be adverted to, the same sensible course will not be pursued as to future controversies. Indeed it must be conceded that with the ever-increasing intimacy and magnitude of the commercial ties between the two countries, the cordiality induced by reciprocal travel, the amelioration of the relations between the racial stocks making up the population of the British Isles, so called, and a multitude of other considerations, including the gratifying decay of the war spirit and the attenuation of the bonds between the units of the British Empire, the purpose of the people of the two great English-speaking nations to avoid armed conflict is being constantly strengthened and that the probability of such an unspeakable catastrophe to both nations grows more and more remote. Nevertheless it might as well be admitted on both sides of the Atlantic that the two countries are to-day engaged in competitive naval construction.

Without going into the details of the exchanges taking place at the Geneva conference, no one can be deceived into the belief that each side, in the attitude it took, was not contemplating war with the other.

It has been said in the debate on the pending bill that the Navy of Great Britain makes a force equal to the combined navies of the world, exclusive of that of the United States. On the other hand, our Navy surpasses in its entirety that of any other nation save only Great Britain. Disregarding the contingency of a war between these two great powers, it is difficult to understand why either of them should maintain a naval establishment even approaching in magnitude those now supported by them. On both sides of the water it is offered that navies even larger than those maintained are necessary or desirable to protect commerce. But, except that war is in progress and thus commerce is interfered with, it has no occasion to call for assistance from ships of war. Piratical operations are no longer to be feared on the high seas, nor for that matter in inland waters, save only where government is inefficient or chaos reigns in consequence of revolution or other untoward conditions, as in China, where the situation is met by the use of fighting craft of the lowest grade. British merchant ships go everywhere unmolested when the nations are at peace, and so do those of the United States. The commerce of either is likely to be interrupted in the event of the prevalence of a war in which it is a neutral, when it ought to have a navy adequate to the protection of its neutral rights. Having such a contingency in mind, it will have regard to the naval equipment of a possible antagonist.

Both nations are now abundantly provided as against any other. Expansion in anticipation of such interference is entirely unjustifiable. It is unnecessary for present purposes to consider how perfectly the British Empire is safeguarded against a hostile movement on the part of any nation so far as her navy can afford protection, but her supremacy on the seas—again disregarding the United States—would seem to be so well established as to remove all ground for apprehension in that regard. Our country is fortunately so situated that the idea of the landing

on our shores of a hostile force approaches the chimerical. The argument mainly relied upon in Great Britain in support of the policy of a navy without an equal is that it is absolutely essential that commerce through her ports be uninterrupted that a constant food supply may reach her people—that if the regular flow of foodstuffs from beyond her borders were cut off by a superior naval force her people would be speedily reduced to starvation. On our side it is with truth represented that, with a naval establishment inferior to that of Great Britain, when that country is at war, we carry on trade with foreign countries only as she permits us; that, pursuing her policy of starving her enemy by shutting off, or attempting to shut off, all access to it by water, she is perfectly regardless of the rights of neutrals under international law.

The English contention is not without force; indeed, it is so substantial in character that many Americans, with very little reflection on the position in which it puts the United States, accept it unreservedly and subscribe to the view that Great Britain must, of necessity, maintain the position she has occupied for over three centuries as "mistress of the seas."

History but too well justifies the American claim that our trade is carried on when Britain is a belligerent only by her sufferance, and that she is ruthless in the restrictions she imposes and entirely regardless of the principles of international law generally recognized, and even declared by her own courts.

The War of 1812 was the direct consequence of the oppressive acts of the British Admiralty during the Napoleonic wars, acts of such an aggravating character that in indignation at the patience exhibited by the President, James Madison, a more quick-tempered citizen declared he could not be kicked into a fight. When that peace-loving President was eventually reluctantly impelled to recommend to Congress that war be declared he summarized the principal grievance in the following paragraph:

> Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, our commerce has been plundered in every sea, the great staples of our country have been cut off from their legitimate markets, and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures they have been considered as in force from the dates of their notification, a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal these mock blockades have been reiterated and enforced in the face of official communications from the British Government declaring as the true definition of a legal blockade "that particular ports must be actually invested and previous warning given to vessels bound to them not to enter." (Messages and Papers of the Presidents, vol. 1, p. 501.)

I disclaim any purpose in referring to this unpleasant page in the history of our relations with Great Britain to foment or revive any ill will toward that country. I entertain the most fervent hope that the amity that has so long subsisted may never be disturbed. As heretofore stated, a breach therein would, in my judgment, be unspeakably calamitous.

Mention was made of the primary cause of the last armed conflict between the two nations with intent to make clear that our commerce suffered similarly and our dignity as a Nation was in like manner affronted when Great Britain was again confronted by powerful enemies on the Continent in the World War. So grave were her offenses, so serious was the situation precipitated by them, that the London Observer in a recent number (I quote from its issue of December 2, 1928), said:

> Friction on the subject of neutral rights at sea was so acute during the first half of the World War that had the Germans been more judicious, America might have come into the conflict on the other side.

Were it not that the overwhelming sentiment of America was, even from the beginning, with the allied powers, the repeated indignities inflicted before Germany entered upon her campaign of frightfulness might have culminated in armed resistance as those suffered a century before did.

Events transpiring since have contributed to obscure the general recollection of the course pursued by the British admiralty that drew from our Government repeated and vigorous protest, the effect of which our ambassador, Walter Hines Page, with engaging frankness, but with little credit to the fidelity with which he represented our Government, tells in his book on the stirring times of his service in London, he did what he could to nullify.

In an appendix to the note of Secretary Lansing to Mr. Page of date October 21, 1915, are listed some of the graver infractions of our rights on the seas with reference to specific instances to sustain each general charge.

Among the offenses thus listed are (I quote from the schedule):

> (1) Vessels whose cargoes and papers have been of such character as to require but brief time for examination, have been held in British ports, according to this Government's information, for prolonged periods, in some instances for more than a month, and then released without the institution of prize court proceedings.

As indicative of the character of the interference thus complained of, I quote from the appendix as to the first case listed, as follows:

> The steamer *Chester*, which sailed from Baton Rouge for Rotterdam with a cargo of illuminating oil, was taken into Falmouth September 21, 1914, and held until November 4 of that year.
>
> (2) Vessels have been held until they have * * * reconsigned their cargoes to a consignee in a neutral country designated by the British Government.

Under this heading reference is made to a ship held in a British port for nearly a month, the greater part of the cargo of which, loaded in New York under the supervision of the British consul general, was fresh fruit, the whole consigned to a Netherlands house, the shippers being compelled to reconsign to the Netherlands Overseas Trust.

> (3) Detentions have been made without evidence amounting to probable cause.

This charge is supported by reference to a number of cases, including that of the ship *Annam*, en route to a Swedish port, which was detained at Kirkwall in April, 1915, on "suspicion" that a part of her cargo, which consisted of food products, was destined for Germany.

> (4) Vessels have been held, according to statements of the British Government, because of the manner in which shipments have been consigned.

Instances are cited in which the mere fact that cargoes destined for neutral ports were consigned "to order" were regarded as justifying seizure.

> (5) Goods have been seized by the British Government on the ground, as this Government has been informed, that the country to which they were shipped had not prohibited their export.

Copper shipped to Sweden was held because that country had not prohibited the reexportation of that metal; on the other hand, though Italy had prohibited the export of copper, seizures of consignments to that country were repeatedly made.

> (6) The British authorities have repeatedly seized articles classified as contraband, articles classified as conditional contraband, as well as noncontraband goods, shipped to Scandinavian countries, to the Netherlands, and to Italy, then neutral, although the reexportation of such commodities from these countries had been forbidden.

Under this heading reference is made to the case of the American ship *Joseph W. Fordney*, carrying a cargo of cattle fodder, taken within 4 miles of the coast of Norway and brought into Kirkwall, the exportation of commodities of that character being prohibited by Sweden to a port of the country to which the ship was destined.

> (7) Detentions have been made pending assurances that embargoed goods would be allowed to pass through a neutral country to Great Britain's allies.

A cargo of cotton from Galveston to Gothenberg, Sweden, for transshipment to Moscow was held up for a month, and the ship carrying it required to go around the North Cape with it to Archangel.

> (8) From time to time this Government has been informed of the seizure of cargoes on the ground that consignees have been known to trade with the enemy or because they were suspected of doing so.

A consignment of rubber on a Swedish ship was detained because the consignee was "regarded with grave suspicion."

> (9) Vessels have been seized and brought into port and have been required by the British authorities to pay pilotage, harbor, unlading, warehouse, storage, or other dues, costs, and expenses in advance of a judicial determination of the validity of the seizure of vessel or cargo.

This charge is likewise supported by reference to specific instances.

> (10) Detentions of vessels proceeding from European ports.

Reference is made to the particularly aggravating circumstances of the seizure of the goods of Americans en route from a European port to the United States.

Mr. SHIPSTEAD. Mr. President, will the Senator yield for a moment before he goes any further?

The PRESIDING OFFICER (Mr. ODDIE in the chair). Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH of Montana. I do.

Mr. SHIPSTEAD. The Senator has enumerated many violations of our neutrality, many grievances that were filed with the British Foreign Office. Many of these grievances grew out of the so-called doctrine of continuous voyage and ultimate destination. As I remember Lord Grey's letter to Mr. Page, in answering the protests that were made he made the charge that that doctrine had been initiated by the Government of the United States at the time of the Civil War, and quoted decisions of United States prize courts upholding the doctrine of continuous voyage and ultimate destination. Will the Senator discuss that phase of the British point of view?

Mr. WALSH of Montana. Mr. President, as stated later, of course it need not be said that to all of these complaints of infractions of our rights as neutrals some kind of a plausible answer was made by the British Government; and much reliance was placed upon the doctrine of continuous voyage said to have been developed by this Government and by our courts during the Civil War.

The doctrine of continuous voyage, even if extended to its utmost limits, can not possibly account for more than a small number of these cases. But even some American newspapers have attempted to excuse or extenuate or justify many of these seizures by stating that we did the same thing in the Civil War; that we paid no attention to international law; and in that connection reference is made to the development of the doctrine of continuous voyage.

The fact about the matter is that the doctrine of continuous voyage, as laid down by the Supreme Court of the United States, was laid down in accordance with the decisions of the English prize courts; and the decisions of the English prize courts upon cases coming before them during the Napoleonic wars were referred to by the Supreme Court of the United States for the elaboration of the continuous-voyage doctrine.

Mr. SHIPSTEAD. It was originally an English doctrine?

Mr. WALSH of Montana. It was an English doctrine. It was adopted by our Supreme Court. I might say in that connection that in the negotiations which gave rise to the Washington treaty for the adjustment of claims between this country and Great Britain after the war, in 1870 or 1871—I have forgotten which date—Great Britain recognized the correctness of and accepted the doctrine of continuous voyage as elucidated by the Supreme Court of the United States, although very vigorous protest was voiced by other European nations, but never by Great Britain. So that our Government during the late war never objected in the slightest degree to the application of the doctrine of continuous voyage. That is to say, if goods were going to a neutral port merely as a cover for running a blockade of an enemy port, our Government never made any complaint at all about those things.

Mr. SHIPSTEAD. Was not that doctrine the sole basis for the rationing or the practical licensing of our commerce by Great Britain and France when they were at war? They took the standpoint that everything that went to neutral ports, to Holland or to the Scandinavian countries, was intended to be shipped to Germany.

Mr. WALSH of Montana. Exactly. They supervised all of our shipments to all the countries of northern Europe.

Mr. SHIPSTEAD. And, in fact, rationed food supplies to all the neutral countries of Europe.

Mr. WALSH of Montana. So they did.

Mr. SHIPSTEAD. So, as a matter of fact, our commerce and the commerce of the entire neutral world was dominated and absolutely controlled by belligerents.

Mr. WALSH of Montana. And they rationed it to such an extent that I was told when I was in Stockholm that they were obliged there to rely on bread made in very considerable part of the bark of trees; and the wife of one of the leading officers of the Government, whom I sat next to at dinner, told me that her youngest child had lost two years of growth by reason of malnutrition consequent upon the inability to get food in Sweden during the war.

Mr. SHIPSTEAD. So this question of control of commerce in time of war involves the question of starving the population not only of belligerent or enemy countries but also of the entire civilized world.

Mr. WALSH of Montana. Of all neutral countries through which any possible economic advantage might inure to the enemy country.

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

Mr. WALSH of Montana. I yield.

Mr. KING. I think it is fair to say, however, that when the United States entered the war we were exceedingly solicitous in preventing shipments from the United States, of foodstuffs or otherwise, destined for neutral countries, from reaching, through those neutral countries, Germany; and we sought, as I recall, to interdict shipments to neutral countries until we got an agreement from them that those shipments should not go through to Germany.

Mr. WALSH of Montana. The Senator is quite right; but a little confusion may arise from his statement. We put restrictions upon our own people. Of course we had a perfect right to do that. We would not allow shipments to go out of this country to neutral countries except as we permitted it; but, of course, that is an undoubted exercise of the right of sovereignty. That is quite a different thing from having goods seized by a belligerent, contrary to our will, when the goods are upon the high seas. Of course we are at liberty to put any restrictions we choose upon the export of goods from our own country during a time of war.

Mr. BROOKHART. Mr. President, after we entered the war did we acquiesce in the principle contended for by Great Britain?

Mr. WALSH of Montana. We did; and not only that, but we went on and helped the British carry out just exactly that policy—a circumstance to be adverted to directly.

It may be recalled that no little embarrassment to American industry and trade resulted from the inability to get dyestuffs from Germany.

The appendix includes a long list of ships, over 300 in number, laden, in the main, with agricultural products, consigned to Scandinavian ports, that were either diverted by British authorities into Kirkwall or were ordered therein by their owners in anticipation of such direction.

Without further reference to the document mentioned, I ask that the note of Secretary Lansing of October 21, 1915, and the appendix thereto, be printed as a supplement to my remarks.

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

(See Exhibit A.)

Mr. WALSH of Montana. On the 31st day of December, 1914, I gave to the Senate information concerning the seizure of copper aggregating 19,350 tons, the property of American citizens or shipped by them, taken from 31 ships, 4 destined to Holland, 14 to Italy, and 13 to Sweden. Of the aggregate, 9,350 tons were piled up at Gibraltar. My attention was called at the time to the seizure of $57,000 worth of sausage casings, shipped from Chicago to Copenhagen, which port, being of a neutral country, of course, the British Government had no right to blockade—a principle which the English prize courts themselves have announced—nor had it any right to treat such a commodity as contraband.

Mention of that particular case, and of the detention of cargoes consigned to Scandinavian ports, prompts notice of paragraph 20 of Mr. Lansing's note, as follows:

> (20) Moreover, it is an essential principle which has been universally accepted that a blockade must apply impartially to the ships of all nations. This was set forth in the declaration of London, is found in the prize rules of Germany, France, and Japan, and has long been admitted as a basic principle of the law of blockade. This principle, however, is not applied in the present British "blockade," for, as above indicated, German ports are notoriously open to traffic with the ports of Denmark, Norway, and Sweden. So strictly has this principle been enforced in the past that in the Crimean War the judicial committee of the privy council, on appeal, laid down that if belligerents themselves trade with blockaded ports they can not be regarded as effectively blockaded. (*The Franciska*, Moore, P. C., 56.) This decision has special significance at the present time, since it is a matter of common knowledge that Great Britain exports and reexports large quantities of merchandise to Norway, Sweden, Denmark, and Holland, whose ports, so far as American commerce is concerned, she regards as blockaded.

The concluding sentence of the paragraph just quoted recalls like comment in the message of President Madison, heretofore referred to, as follows:

> It has become, indeed, sufficiently certain that the commerce of the United States is to be sacrificed, not as interfering with the belligerent rights of Great Britain, not as supplying the wants of her enemies, which she herself supplies, but as interfering with the monopoly which she covets for her own commerce and navigation. She carries on a war against the lawful commerce of a friend that she may the better carry on a commerce with an enemy, a commerce polluted by forgeries and perjuries, which are for the most part the only passports by which it can succeed. (Messages and Papers of the Presidents, vol, 1, p. 502.)

The Lansing note of October 21, 1915, was in the nature of a review of repeated protests on the part of our Government, dating from shortly after hostilities began. As early as December 26, 1914, Secretary Bryan—whose pacific disposition

has been so often commented on, and whose reputation as a man of peace rests upon the firmest foundation—sent a vigorous note to Page, with instructions to communicate it in substance to the British Foreign Office, in which he said:

The Government of the United States has viewed with growing concern the large number of vessels laden with American goods destined to neutral ports in Europe which have been seized on the high seas, taken into British ports, and detained sometimes for weeks by the British authorities. * * *

Articles listed as absolute contraband, shipped from the United States and consigned to neutral countries, have been seized and detained on the ground that the countries to which they were destined have not prohibited the exportation of such articles. Unwarranted as such detentions are, in the opinion of this Government, American exporters are further perplexed by the apparent indecision of the British authorities in applying their own rules to neutral cargoes. For example, a shipment of copper from this country to a specified consignee in Sweden was detained because, as was stated by Great Britain, Sweden had placed no embargo on copper. On the other hand, Italy not only prohibited the export of copper but, as this Government is informed, put in force a decree that shipments to Italian consignees or "to order," which arrived in ports of Italy can not be exported or transshipped. The only exception Italy makes is of copper which passes through that country in transit to another country. In spite of these decrees, however, the British Foreign Office has thus far declined to affirm that copper shipments consigned to Italy will not be molested on the high seas. Seizures are so numerous and delays so prolonged that exporters are afraid to send their copper to Italy, steamship lines decline to accept it, and insurers refuse to issue policies upon it. In a word, a legitimate trade is being greatly impaired through uncertainty as to the treatment which it may expect at the hands of the British authorities. * * *

Not only is the situation a critical one to the commercial interests of the United States but many of the great industries of this country are suffering because their products are denied long-established markets in European countries, which, though neutral, are contiguous to the nations at war. Producers and exporters, steamship and insurance companies are pressing, and not without reason, for relief from the menace to trans-Atlantic trade which is gradually but surely destroying their business and threatening them with financial disaster.

In a later note of date March 30, 1915, Mr. Bryan, referring to an order in council proclaiming a blockade, said:

But the novel and quite unprecedented feature of that blockade, if we are to assume it to be properly so defined, is that it embraces many neutral ports and coasts, bars access to them, and subjects all neutral ships seeking to approach them to the same suspicion that would attach to them were they bound for the ports of the enemies of Great Britain and to unusual risks and penalties.

It is manifest that such limitations, risks, and liabilities placed upon the ships of a neutral power on the high seas, beyond the right of visit and search and the right to prevent the shipment of contraband already referred to, are a distinct invasion of the sovereign rights of the nation whose ships, trade, or commerce is interfered with.

Another order in council subjected to seizure any goods of enemy origin. Touching this order, Secretary Lansing wired to Ambassador Page on July 15, 1915, to the effect that he is instructed—

to reiterate the position of the Government of the United States as set forth in the department's instruction of March 30, 1915, with respect to the order in council mentioned, the international invalidity of which the Government of the United States regards as plainly illustrated by the present instance of the seizure of American-owned goods passing from the neutral port of Rotterdam to a neutral port of the United States merely because the goods came originally from territory in the possession of an enemy of Great Britain.

In that case a ship carrying goods of an American citizen bought in Belgium was overhauled, brought into London, and required to discharge the freight mentioned because, forsooth, it was produced in Germany.

It is not to be understood that the British Government admitted its wrongdoing in any of its acts complained of or confessed the illegality of the general course pursued by it. When, after prolonged delay, it replied to the challenge of our State Department, it usually had some plausible excuse to offer, not infrequently advancing for its departure from the practice sanctioned by international law that the American Government had during our Civil War in like manner introduced innovations in the law in respect to the rights of neutrals, particularly with respect to "continuous voyages." American journals have reiterated the claim so made as though it were an accepted and indisputable fact, whereas the truth is that even with respect to the doctrine of "continuous voyage" our Supreme Court but followed rules long since established by the English prize courts.

It is not without significance in this connection that the English Government has effected a settlement with all but a very few of the American claimants alleging damages by reason of illegal seizures or detentions, while the prize court adjudications sustaining them on evidence of a substantial character have been notably few.

It was the long train of lawless and exasperating encroachments upon our rights to carry on commerce with neutral nations, briefly referred to, as well as our historic attitude touching trade with neutrals, that induced President Wilson to enunciate a guarantee of the "freedom of the seas" as one of the ends to be attained through the treaty of peace terminating the World War, a feature of the celebrated 14 points from which Great Britain withheld her approval.

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

Mr. WALSH of Montana. Certainly.

Mr. SHIPSTEAD. With all the protests that were made by the American ambassador during that time—and he was constantly protesting at the request of his Government——

Mr. WALSH of Montana. And according to his book, the English Government did not pay any attention to the protests.

Mr. SHIPSTEAD. Does the Senator know of a single instance when a protest on the part of the Government of the United States was successful in any way?

Mr. WALSH of Montana. I have not followed the matter in detail, but I presume that a good many of the ships which were turned into Kirkwall and were sent to London and held there without any just cause were afterwards released. Whether that was due to a wired protest or not, of course, I do not know.

Mr. SHIPSTEAD. I meant a protest made on the basis of certain principles involved which were never yielded to by the British Government.

Mr. WALSH of Montana. I do not think that the illegality of the seizures upon established principles of law was ever acknowledged. I might say that my information is that the negotiations have resulted in an agreement, which may reach the Senate, providing that the balance of the claims shall be offset against the claims of Great Britain arising out of obligations incurred by the Navy for supplies and one thing or another of that kind.

Mr. BORAH. Mr. President, as I understand, in the adjustment of these neutral claims, the adjustment agreement provides that neither Government recedes from the position which it took during the war.

Mr. WALSH of Montana. That is my understanding.

Mr. SHIPSTEAD. The fact remains that we did not enforce our rights as neutrals at the time.

Mr. WALSH of Montana. We did not.

Mr. WHEELER. If we had, we would have gone to war with Great Britain.

Mr. WALSH of Montana. We did not because meanwhile the German submarine campaign was inaugurated, and American lives were lost, and, of course, everybody very properly said, "This matter of loss of property, the seizure of some ships, is a trifling thing compared with the destruction of human lives," and all public thought was directed against, not the breaches of our rights by Great Britain but the graver breach of our rights by Germany. So the public lost sight of the former entirely.

Mr. SHIPSTEAD. The fact that food made contraband and was being rationed to neutral countries in order to keep it out of Germany was used as an excuse by the German Government for opening its submarine campaign, which finally got us into the war.

Mr. WALSH of Montana. That was offered by them as a reason why Great Britain was not observing the principles of international law, and there was no reason why they should.

Mr. SHIPSTEAD. If the Senator will permit me further, that might lead to the conclusion that if a nation does not protect its rights as a neutral between belligerents in time of war, one of the belligerents may accuse the Government of the United States of not maintaining its neutrality, and may therefore act in such a way that we will be brought into the war, as we were in the last war.

Mr. WALSH of Montana. We were in that situation in the last war, and we were in that situation in the early part of the nineteenth century. France was continually complaining that we did not resist the breaches by Great Britain, and Great Britain was complaining because we did not resist the encroachments of our rights by the French Government, and for a long time it was a question as to whether we should go into the war upon the side of France or upon the side of Great Britain.

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

Mr. WALSH of Montana. I yield.

Mr. DILL. If we had attempted to enforce our rights against England, undoubtedly it would have led to war.

Mr. WALSH of Montana. Undoubtedly; and the sentiment of the country at that time was against our going to war against Great Britain, the sympathies of the people of this country being generally with the Allies rather than with Germany.

Mr. DILL. Her orders practically forbade our ships going into the North Sea.

Mr. WALSH of Montana. That was the effect of them.

Mr. SHIPSTEAD. Permit me to ask the Senator another question on which I would like to have his opinion. Has the Senator any idea that the fact that the Allies were piling up their paper in our banks here, to the amount of about $5,000,000,000 when we entered the war, had anything to do with our failing to insist upon our rights as a neutral in protecting our commerce?

Mr. WALSH of Montana. I presume that was a consideration that withheld us in coming to conclusions with Great Britain about these infractions.

Mr. SHIPSTEAD. I ask these questions in order to bring out all of the possible factors that may get a nation into war and that may enter into the question of enforcing our neutrality and our rights as neutrals.

I shall not disturb the Senator further, except to say that if Germany had borrowed money here as the Allies did, there would possibly have been some incentive on our part to maintain our rights and insist upon our rights for the protection of the commerce we had with Germany. If I am not mistaken, the financing of the Allies in this country reached such a stage that on the 5th of March, 1917, Mr. Page, American ambassador to Great Britain, wrote a letter to President Wilson in which he said he thought that there would be a financial crash and panic unless we went into the war; that the Morgans could not finance the Allies any longer; that the proposition was too much for private banking concerns; and that the United States Government had to go into the war in order to help finance the Allies.

Mr. BORAH. Is that letter public?

Mr. SHIPSTEAD. Yes; it is in Mr. Page's letters.

Mr. BORAH. Is that the purport of the letter?

Mr. SHIPSTEAD. Yes.

Mr. OVERMAN. Let us get the letter.

Mr. McKELLAR. Mr. President, before the Senator from Montana proceeds, will he state whether he takes the position that as neutrals in time of war we should not have a sufficient Navy to protect our commerce?

Mr. WALSH of Montana. No; I take the contrary position. I have just stated that each nation ought to have a navy adequate for the protection of its commerce——

Mr. McKELLAR. At any time?

Mr. WALSH of Montana. When it is a neutral.

Mr. McKELLAR. That would mean a navy adequate to protect its commerce and trade at any time.

Mr. WALSH of Montana. Yes.

Mr. McKELLAR. I agree with the Senator entirely about that.

Mr. WALSH of Montana. Lest any misapprehension should arise with respect to that, I want to call attention to the fact that in determining the size of the Navy we must take into consideration the navy of a possible antagonist, and if the possible antagonist will only reduce its navy, we may reduce ours likewise.

Mr. McKELLAR. Indeed, but when the possible antagonist is continuing to build its navy while we are not building, it seems to me it would leave us in the attitude of not being able to protect our trade and commerce should war arise and we remain neutral.

Mr. WALSH of Montana. Before I get through I shall have something to say upon that question.

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

Mr. WALSH of Montana. I yield.

Mr. NORRIS. I think it would be more enlightening to the Senate, if I might make the suggestion, if both the Senator from Montana and the Senator from Tennessee would state clearly, because this is a practical question, to what antagonist they refer.

Mr. WALSH of Montana. I have endeavored to state. I stated in the initial sentence in this address that we are building in contemplation of a war primarily with Great Britain, and secondarily with Japan.

Mr. NORRIS. That makes it plain. I would like to know whether the Senator from Tennessee has the same idea.

Mr. WALSH of Montana. I do not know why we should use any cryptic language in discussing this matter.

Mr. NORRIS. Nor do I. That is why I asked the question.

Mr. WALSH of Montana. I would like to get it down to a concrete proposition. We do not need our Navy to protect our commerce when the world is at peace. We need a navy to protect our commerce only when there is war, and our Navy is now altogether adequate to protect our commerce against any country in the world except one of these two.

Mr. NORRIS. I agree with the Senator in his reference to the Navy in time of peace, although that is a direct contradiction of the position taken by the chairman of the committee, the Senator from Maine [Mr. HALE], and by the ranking Member on the other side, the Senator from Virginia [Mr. SWANSON], who both proclaimed many times, in the course of their able arguments, that we needed a navy in time of peace just the same as in time of war.

Mr. McKELLAR. Fortunately in the Senate we can take our own positions, and we are very fortunate indeed if we can defend the position which we ourselves take without having to subscribe to the views of some one else.

Mr. NORRIS. We very seldom get all to agree, that is true.

Mr. McKELLAR. That is very hard to do.

Mr. BRUCE. Mr. President, if we did not have a navy in time of peace we would not have any in time of war, because we do not have time to prepare for war after a war starts.

Mr. NORRIS. That is true, but the use of the Navy in time of peace has been advocated as an absolute necessity.

Mr. WALSH of Montana. The intensity of feeling in the United States concerning the outrages to which our commerce was subjected in the war in which Britain was engaged against the Central Powers is not unappreciated by those who have given thought to the matter among her subjects.

In the article in the London Observer, heretofore referred to by its able editor, J. L. Garvin, also the editor of the revised Encyclopedia Britannica, is the following highly significant paragraph:

> But behind the naval question is the political question. The two countries will have to face together an old problem in new form—the "freedom of the seas." If you can settle that, you will settle everything. If you can not settle that, you will settle nothing. The traditional British practice of interception and search as regards neutral vessels in time of war never can be exercised in the future in the case of the United States. Nothing is more absolutely certain than this. American conviction on this point has never changed for a century and a half. What they felt when they were first an independent nation of 4,000,000 they feel now when they are a nation of 120,000,000, far richer, head for head, than any other people that has existed and with a vigour quite equal to their numbers.

It is the memory of the wrongs so perpetrated, the determination to prevent a repetition of them, and the dread of a conflict should Britain attempt in some future war in which she may be involved to pursue what is referred to in the Garvin article as her "traditional practice" that give strength to the demand for the pending legislation to expand our Navy and to the conviction, in which I share, that entire parity, so far as that can be secured, as between the navies of the two countries should obtain. It is the very general belief on this side of the water that if the United States had a Navy substantially equal in strength to that of Great Britain our rights would be respected by her; in other words, that a navy equal to hers would contribute materially to, if it would not be a guaranty of the preservation of peace between the two countries.

For myself, I can not think there is any likelihood whatever of a war between the United States and Great Britain, except it be precipitated by what has thus been appropriately referred to as her "traditional practice." I can think of no reason why this country should maintain a navy such as is contemplated by the pending bill except in anticipation of the pursuit of such "traditional practice." And the attitude taken at the late naval conference at Geneva by the representatives of Great Britain affords abundant ground for the belief that it is her purpose, or was at that time, to adhere to her "traditional practice."

It was a most reasonable expectation on the part of the people of the United States that our Government having, when it occupied a commanding position in 1922 freely consented, indeed proposed, to make enormous sacrifices in order to arrest competitive building and to bring about parity as between the United States and Great Britain, and actually did abandon its naval construction program pursuant to the only partially effective agreement arrived at, and scrapped ships representing an investment of approximately $300,000,000, some similar disposition would be exhibited by her when, through building permitted by the treaty, the situation of the two nations was reversed. That expectation was rudely dispelled, and dispelled in such manner as to leave the unpleasant impression that the Eng-

lish people, at least so far as the present ministry speaks for them, propose to preserve the command of the seas, not only to enable them to continue their "traditional practice" but to satisfy the pride with which they once sang "Britannia Rules the Wave."

I am, as heretofore stated, wedded to the idea of parity as between the United States and Great Britain, but I should like to see that parity attained by scaling down, rather than by building up. As indicated, it is my opinion that neither nation stands in need of any such naval establishment as it now maintains except to meet the contingency of war with the other. I am eager, however, to see initiated another attempt to reach an agreement for limitation of naval armament, failing which I am prepared to vote for the construction of not only 15 cruisers but for any other additions to our naval force required to put past doubt that it is at least equal in strength to the British Navy.

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

The PRESIDING OFFICER (Mr. COUZENS in the chair). Does the Senator from Montana yield to the Senator from Maryland?

Mr. WALSH of Montana. I yield.

Mr. BRUCE. Does not the Senator think if we would only become a party to some general disarmament conference, say some disarmament conference held under the auspices of the League of Nations, at which the pressure of all the civilized powers of the world would be brought to bear both on our country and on Great Britain, that there would be infinitely more chance of some understanding being arrived at with reference to naval disarmament or reduction of naval armament between the United States and Great Britain, than by means of the conferences we have been holding?

Mr. WALSH of Montana. That is a question upon which I do not feel competent to give an answer. There are many who contend that if we were to put the matter of naval limitation into a general conference for the limitation of all armament, it would take an indefinite length of time to work it out, and that we would not get the necessary agreement concerning naval limitation. On the other hand, it is argued that we can not take one of these separately from the other and that we can not go forward with the naval conference unless at the same time we consider the question of a reduction of land armaments.

Mr. BRUCE. Then does not the Senator think it is probably true that if this country and Great Britain would enter into a general disarmament conference, it would bring some pressure to bear with reference to land armaments that we would not otherwise be able to bring to bear? In other words, in the adjustment of naval armaments between Great Britain and the United States, the two countries might agree on a radical reduction of military armaments on land.

Mr. WALSH of Montana. Of course, the Senator understands that the conference for the consideration of general disarmament resumes its sessions in the month of April next.

Mr. BRUCE. I know that is so, and I am looking forward to that with hope.

I am in accord with the Senator from Idaho on the necessity of the restatement of the rules governing the rights of belligerents and neutrals on the high seas, and shall support his amendment, but, to my mind, action such as is contemplated by it looking to a conference should be accompanied by a proposal from our Government to have declared as the basic principle of such restatement, the immunity from seizure of private property on the sea.

Mr. SHIPSTEAD. Mr. President, will the Senator yield once more?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH of Montana. I yield.

Mr. SHIPSTEAD. The Senator is arguing apparently in anticipation of a controversy arising between the United States and Great Britain about the rights of a neutral in time of war and control of the seas. If I heard the Senator correctly, he also intimated that unless an agreement in settlement of this controversy could be entered into, he agreed with the Senator from Idaho and would vote for cruisers. Is that correct?

Mr. WALSH of Montana. I do not recall just exactly what the Senator from Idaho said, but the Senator has quite accurately stated my attitude.

Mr. SHIPSTEAD. Does the Senator mean to say that this controversy would not be settled under article 2 of the so-called peace pact or Kellogg treaty, where the nations agree they will settle any controversy by peaceful means?

Mr. WALSH of Montana. Article 2 of the peace pact does not provide for the settlement of any controversy.

Mr. SHIPSTEAD. Is it article 3?

Mr. WALSH of Montana. Article 2 simply provides that the signatories will not go to war.

Mr. SHIPSTEAD. That they will renounce war as a national policy?

Mr. WALSH of Montana. No; that is the first paragraph. The second paragraph provides that the signatories will not seek the settlement of any controversy between them except by peaceful means, and accordingly one of the peaceful means of settling this controversy is the meeting of the general disarmament conference to take place in April, or any other arrangement that might be effected for the purpose of securing naval disarmament or a reduction of naval armament.

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

Mr. WALSH of Montana. I yield.

Mr. BARKLEY. The Senator stated that article 2 of the treaty provides that the signatories will not seek the settlement of any controversy between them except by peaceful means.

Mr. WALSH of Montana. Article 2 contemplates every controversy that may possibly arise between two nations and they agree they will not seek a settlement of that controversy except by peaceful means; in other words, that they will not go to war about it.

Mr. BARKLEY. The Senator does not understand that section of the treaty to mean that the question of the size of the Navy of either Great Britain or the United States is such a controversy that they agree to settle it by peaceful means? In the very nature of things it is settled by peaceful means. The building of a ship is a peaceful pursuit although the object of building it may not be always peaceful. The very act of building up a navy is a peaceful pursuit. I do not understand that section 2 of the Kellogg treaty contemplates a controversy over the size of the different navies.

Mr. BRUCE. Mr. President, I remind the Senator of the exact language of article 2 which, as I recollect it, is that solution or settlement of any dispute or controversy with any nation, whatever its nature or origin, shall never be sought except by pacific means.

Mr. WALSH of Montana. I think the Senator is quite accurate.

Mr. SHIPSTEAD. I was trying to bring out under what article of the peace treaty we intend to use these cruisers? If a question of controversy over the rights of neutrals or the right of our commerce in time of war becomes a controversy of international importance, and if we can settle it under article 2 of the peace treaty, what are the cruisers for? That is one question I have not had answered satisfactorily.

Mr. WALSH of Montana. Mr. President, Madison took the position in his recommendation to Congress that Great Britain had actually made war upon the United States by seizing our vessels upon the high seas without any justification whatever.

Mr. SHIPSTEAD. And I think she had.

Mr. WALSH of Montana. If she had done that, then Great Britain had violated the Kellogg pact and we were in position to take any steps we saw fit. We were released from the obligations of section 2. Whenever Great Britain makes war upon us or any other nation makes war upon us, the obligations of the treaty are at an end.

Mr. SHIPSTEAD. Then an interference with our commerce would be an act of war.

Mr. WALSH of Montana. Many acts might be in the nature of interference with commerce that would not be war.

Mr. SHIPSTEAD. For instance, she might establish a blockade and interfere with our commerce.

Mr. WALSH of Montana. I would not undertake to say what particular circumstances would amount to waging war against the United States. It could be very readily understood that Great Britain might seize one of our ships and bring it to port and we protest and she immediately let it go. That would not be an act of war.

Mr. SHIPSTEAD. Does the Senator think that the controversies with Great Britain which came up at the beginning of the war could have been settled under the terms of the peace pact?

Mr. WALSH of Montana. That is what we have done. We have not made war upon Great Britain. We have settled that controversy or are about to settle it by peaceful means.

Mr. SHIPSTEAD. The fact remains that we did not protect our commerce. We did settle the question, but we did not protect our commerce. We permitted interference to continue.

Mr. WALSH of Montana. That is what I am trying to show.

Mr. SHIPSTEAD. I want to find out how that can be stopped.

Mr. WALSH of Montana. I shall likewise endeavor to show that. I am endeavoring to show it can only be stopped by a navy equal to that of our antagonist, and I am suggesting the means by which the navies can be brought to a parity without increasing them, and that is by reducing them.

Great Britain, she asserts, must maintain a navy superior to any other to assure an uninterrupted supply of food to her people in time of war. If her ships could sail the seas without molestation, the need of a navy is reduced to a minimum. The United States needs a great navy, one equal to that of Great Britain, it is maintained, that her tremendous and constantly increasing foreign commerce may not be jeopardized when other nations become belligerents. But if American ships and others carrying American goods may proceed upon their voyages without fear of capture or detention, the problem of an American Navy becomes a relatively simple one. It would render easy the negotiation of an agreement for the limitation of naval armament by making needless overgrown establishments. It would meet the issue of competition in naval construction by removing the occasion for the use of a huge navy.

It ought to be comforting to the people of Great Britain to have removed the peril of having their food supply cut off and to their vast shipping interests to be assured that their ventures run no more risk of confiscation or harassment in time of war than in time of peace.

The advantages to Britain of the policy proposed are beyond calculation. Whether they are balanced by those that accrue from her ability to sweep the commerce of her enemy from the sea in time of war, considering the enormous burden of building and maintaining a navy adequate to that end, is for the people of that country to determine.

There are some reasons, hereafter to be adverted to, for believing that her attitude with respect to the question may, were it again presented, undergo some change. As to the United States, the proposal is not new; indeed, it may be regarded as the historic desire of this country to see accepted the policy expressed in it. Franklin proposed the insertion in the first treaty with Great Britain of a provision that all merchants or traders with their unarmed vessels employed in commerce, exchanging products of different nations, and thereby rendering the necessary conveniences and comforts of human life more easy to obtain and more general, should be allowed to pass freely unmolested. His effort was fruitless, but in the treaty of 1785 between the new Republic and Prussia, the principle was recognized, expressed in almost the identical language of Franklin. President Monroe and President Pierce each formally in official communications urged acceptance of the principle. The policy embodied in Franklin's proposal became the subject of worldwide consideration in the period immediately following the Crimean War. The treaty of Paris, by which it was brought to a close, pledged the signatories thereto to the four following principles, namely:

1. Privateering is and remains abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy. (Moore's Digest of International Law, vol. 7, p. 562.)

Pursuant to the treaty, the other powers not signatories, including the United States, were invited to subscribe to the declarations thus made. The American Secretary of State, Hon. William L. Marcy, signified the willingness of our Government to join, provided the declaration abolishing privateering should be amended by adding thereto the following:

And that the private property of subjects and citizens of a belligerent on the high seas shall be exempt from seizure by the public armed vessels of the other belligerent, except it be contraband. (Id. p. 565.)

In the voluminous diplomatic correspondence which ensued and in the discussions occasioned by the American proposal, it came to be known as the "Marcy amendment." The treaty between the United States and Italy entered into in 1871 contains the following provision:

The high contracting parties agree that, in the unfortunate event of a war between them, the private property of their respective citizens and subjects, with the exception of contraband of war, shall be exempt from capture or seizure, on the high seas or elsewhere, by the armed vessels or by the military forces of either party, it being understood that this exemption shall not extend to vessels and their cargoes which may attempt to enter a port blockaded by the naval forces of either party. (Holls, Peace Conference at The Hague, p. 309.)

The American delegates to the First Hague Conference, under instructions, sought at its sessions to obtain consideration for the subject of the immunity of private property at sea, being prepared to support the principle, but without success. The effort was repeated at the Second Hague Conference when Hon. Joseph Choate, a member of the delegation, with the eloquence and forensic skill for which he was justly celebrated, made an appeal on behalf of the United States for the consideration of the policy so long advocated by his country and its acceptance by the assembled nations. There was reason to believe that at that time the opposition of Great Britain had been to some degree mollified. The subject was referred to at some length in the instructions of Sir Edward Grey to the British delegates who were directed not to offer any objection to the discussion of it at the conference. A copy of what was said in that regard is, with the consent of the Senate, printed as a further appendix to these remarks.

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

(See Exhibit B.)

Mr. WALSH of Montana. Though, according to Colonel House, he was authorized by Mr. Wilson to say to the representatives of the British Government that if they did not accept the principle of the freedom of the seas they could "count upon the certainty of our using our present equipment to build up the strongest navy that our resources permit, and as our people have long desired," the President was evidently obliged to recede from his insistence on specific provision with respect thereto in the treaty, as he felt obliged to yield in other particulars in which his interest was profound and his hopes high.

Conceivably he had it in mind that proceeding with the construction of the "strongest navy" an adjustment could be effected with Great Britain or an accord arrived at. House leaves the impression that Wilson believed that the situation would be met by the organization of the League of Nations, but that seems improbable inasmuch as the fourteen points contemplated both the league and the guaranty of the freedom of the seas.

It is realized now that the occasion which brought forth the treaty of Versailles was most inopportune for the dispassionate consideration of the subject of the inviolability of private property at sea. The pressure exerted by the English Admiralty to bring about economic ruin in Germany was believed to have been so important a factor in finally reducing the Central Powers to submission, our Navy had joined so unreservedly with that of Great Britain in restraining trade through neutral ports likely to advantage in any wise the enemy, that the proposal had no fair chance at the conference whose work culminated in that treaty.

The development of aviation and the improvement in the construction of submarines, of whose deadly work such harrowing memories are retained, operate to present the question in quite a different light to the British public. Their fleet no longer affords the protection from attack it once did. A recent press dispatch carries the significant information that the project to tunnel the channel is about to be authorized by the House of Commons, the opposition of the military authorities, heretofore obdurate, having been withdrawn, presumably because of the relative ease with which the islands, as well as the fleet guarding them, may otherwise be made the object of attack.

It is not unimportant in this connection either that the position of Britain and the United States in the financial world has been reversed and that in the unfortunate event of the continuation of the rivalry in naval construction even now in progress, our resources are such that the cost may be met without serious embarrassment, English opinion as expressed in the London press invites a renewal of the proposal that the inviolability of private property at sea be incorporated by treaty in the law of nations. The Economist lately said:

either another world war or the abolition of the institution of "sea power" in its traditional form by free and friendly agreement between ourselves, the latest possessors, and the Americans, the next aspirants.

Modern forms of communication, the Saturday Review thinks, have modified the power residing in blockade, the abolition of which it asserts—

would completely solve the problem of our overseas communications.

And it adds:

While the weapon of blockade is a danger to ourselves it has lost its value in our own hands.

I quote a few expressions from the Observer article, of which mention has been made, but the whole of it is so informative, it is written in such a generous spirit that I ask that it be printed as an additional appendix to my remarks.

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

(See Exhibit C.)

Mr. WALSH of Montana. Among other things it says—referring to the difference in the situation of the two countries at odds:

We are only 20 miles from Europe, not 3,000. Worse. In the air age we are no longer an island at all in the old sense. The great thing is to end the friction, and the way to do it is to let America have her head * * *. The financial and technical resources of the United States are such that they could construct and sustain bigger fleets than any other two nations to-day could equip and support. We repeat again, the more utterly free the Americans feel to build as they like the less they will like to build * * *. What we could not accept under the practical conditions of 10 years ago we can accept now. Why? Because the imports of food and raw material, which are the very blood and life of the nation, would be secure in all circumstances, so far as sea power is concerned.

The epigrammatic statement of the Observer to the effect that—

In the air age we are no longer an island—

has confirmation in the remark of General Groves, of the English air force, that—

we can no longer command the narrow seas and home waters of Europe, nor can we insure, as in the past, the safe passage of our shipping through the Mediterranean.

The blunt criticism by Lord Lee of Fareham of the delegates to the Geneva Conference for their failure to arrive at an accord is an item not lightly to be disregarded in this connection, nor is the serious and generally friendly manner in which the bizarre proposal of Congressman BRITTEN was commented on by the press and statesmen of England.

I am mindful of the fact that I am occupying much the same field as that exploited in his usual masterly manner on Thursday last by the senior Senator from Idaho. The amendment then offered by him has my hearty concurrence, but I propose to supplement it in a manner which no doubt will have his concurrence, by adding to the first paragraph the clause—

on the basis of the inviolability of private property thereon—

so that the amendment will read:

First. That the Congress favors a restatement and recodification of the rules of law governing the conduct of belligerents and neutrals in war at sea, on the basis of the inviolability of private property thereon.

I send such an amendment to the desk, Mr. President.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. WALSH of Montana. In what has been said the attitude of Great Britain only has been considered. Should she be sympathetic or at least not immovable in opposition, there is little reason to fear hostility to the principle from any other quarter. The maritime nations to which the subject is of such importance as possibly to give rise to opposition are few—the United States, Great Britain, France, Italy, and Japan. The lesser powers, both maritime and interior, may all be counted on for support of the principle. Italy is already committed to it. At the First Hague Conference, Count Nigra, representing that country and speaking to the American proposal for a pact guaranteeing the immunity from seizure of private property at sea, referred to the treaty of 1871 between his country and the United States as indicating the policy of Italy and added that the Government of that country did not only proclaim its respect for private property on the high seas diplomatically but had sanctioned the principle in its laws.

There is little doubt that Japan's interest as well as her inclination would align that power with the United States in support of the principle associated with the name of Franklin. There is no reason to imagine any refractory disposition on the part of France. If Britain acquiesces an agreement would be assured that would pave the way for a further accord limiting naval armaments that would relieve all the nations concerned from the tremendous burden of taxation borne and otherwise to be borne for the construction and maintenance of huge navies. Two hundred and fifty million dollars for 15 cruisers is a relatively small sum when the vast resources of our Government are considered, but on almost any other basis it is stupendous. It means an amount which, added to the cost of maintaining them during the 20-year period of their life, at least equals the cost of the construction of the Panama Canal, regarded at the time that work was entered upon as the greatest engineering project of all time.

I am prompted to say a word in conclusion on the view so persistently advanced, with no little asperity at times, that there is some incongruity in approving the Kellogg-Briand treaty and then passing the bill before us. I do not share that view. The sponsors for the cruiser bill in the Senate are no less attached to the cause of peace than are the rest of us who may vote against the measure. They equally harbor the hope of an agreement for the limitation of naval armament. The difference is a difference of view as to how most certainly to arrive at an agreement fair and just to the United States. Not a few of those who will support the bill take that course, convinced that by so doing they aid in bringing about a conference and in getting satisfactory results from it, and that to defeat the bill will encourage the belief abroad that there is no purpose on the part of our Government in any event to build, or that should any purpose be entertained by the executive branch it can be circumvented through the spontaneous or incited opposition of the Congress. I confess that my disposition was at first to support the bill, sharing the belief that to proceed to build would lead, and that no other course would lead, to an accord, but on reflection I have convinced myself that another effort to agree may bring results, and I am eager that the trial should be made. After all it will, in all probability, make no difference whether we begin to build, if we must, this year or next year.

Mr. SHIPSTEAD. Mr. President, I should like to ask the Senator one question, and I might as well ask it here as at any other time.

A great deal has been said about obtaining an agreement on naval limitation. Very many people say that that can be made only on the basis of a naval alliance with Great Britain. The Senator from Montana, I take it, as well as the Senator from Idaho, does not have any agreement like that in his mind when he talks of an agreement for limitation of armament.

Mr. WALSH of Montana. I would not consider that as an agreement for a limitation of armament.

Mr. SHIPSTEAD. It has been claimed that there was in fact an alliance by which we guaranteed the status quo in the Pacific so far as Japan and Great Britain are concerned. I am not sure that I am convinced of that; but very many eminent men say that the treaty we made is in fact a naval alliance guaranteeing the status quo.

Mr. WALSH of Montana. Well, let us consider the thing. We had a conference at Geneva in 1927 looking to a reduction in the naval armaments of both countries, and of Japan as well. Has anybody even intimated that those people were there engaged in negotiating a treaty in the nature of an alliance between the United States and Great Britain?

Mr. SHIPSTEAD. Not at that time.

Mr. WALSH of Montana. Have they since?

Mr. SHIPSTEAD. Not so far as we know. I know, however, that very many people in this country, and, I think, also in England, have looked upon the Kellogg peace treaty as the forerunner of a movement to get an alliance later for the limitation of armament, and, based upon some kind of a guaranty of other nations' territorial and other possessions, in fact, to guarantee the status quo, and that that shall be used as a basis.

Mr. WALSH of Montana. I hope the Kellogg-Briand treaty will operate, as I think it will, as an indication of the spirit of these people who have a desire to reduce armaments. I do not know that it will cultivate that spirit, but I hope it will have such an effect.

Mr. BRUCE. Mr. President, may I ask the Senator from Montana to what point of time is he looking forward as a point of time at which some agreement may be arrived at in relation to the reduction of British and American armaments?

Mr. WALSH of Montana. I should think by the time we assemble a year from now to pass appropriation bills.

Mr. BRUCE. Does the Senator mean after the next general disarmament conference has been held?

Mr. WALSH of Montana. That will be in April. I do not see any reason why, if we went at it, we should not arrive at an accord by some time during the summer, if we could do so at all.

Mr. BRUCE. Yes. Then, if we did arrive at an accord that would mean, of course, that Great Britain would have to reduce her naval armament to bring it down to a level of parity with ours. Does the Senator think she would ever do that?

Mr. WALSH of Montana. She would have to do practically what we did, or offered to do, in 1922. She would come forward and say, as we did then, "We are sitting on top of the world. We are ready to scale down."

Mr. BRUCE. She would have to reciprocate our generous conduct of 1921?

Mr. WALSH of Montana. Yes; and my belief is that if we could get an agreement in the first place for the immunity of private property at sea there would be no difficulty about that matter—in other words, that the occasion would be removed.

Mr. BRUCE. I see; I have the Senator's idea.

Mr. NORRIS and Mr. SHORTRIDGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and if so, to whom?

Mr. WALSH of Montana. I yield first to the Senator from Nebraska. Then I will yield to the Senator from California.

Mr. NORRIS. Mr. President, the last answer to the Senator from Maryland rather incites me to ask this question.

The real point in the agreement with regard to a limitation of cruisers, even though other countries were invited in, is an agreement between the United States and Great Britain. If we could agree with Great Britain, there would not be any difficulty. There is not any other nation that is coming so near to either one in point of armament, at the present time at least, that they would be considered to any great extent.

Mr. BRUCE. Mr. President——

Mr. NORRIS. Just let me finish. But the agreement in regard to the freedom of the seas, of course, must have the acquiescence of other nations besides these two.

Mr. WALSH of Montana. Of course.

Mr. NORRIS. So it has always seemed to me that the United States and Great Britain might very well consistently, without taking into consideration any other nation, take up the cruiser question and practically settle it; but the other proposition involved in the amendment to which the Senator has alluded would require a conference and an agreement on the part of a good many other nations.

Mr. WALSH of Montana. It would require at least the acquiescence of all maritime nations.

Mr. NORRIS. Yes.

Mr. BRUCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Maryland?

Mr. WALSH of Montana. I agreed to yield first to the Senator from California.

Mr. SHORTRIDGE. Mr. President, I did not have the benefit of listening to the Senator's address, except to his concluding remarks. May I ask the Senator this question: With the information he has, does he think that Great Britain, for example, will ever agree to a reduction of her naval forces?

Mr. WALSH of Montana. I think that if we made an agreement for the inviolability of private property at sea she would be very glad to agree.

Mr. SHORTRIDGE. Then, that depends upon a precedent agreement in respect to private property?

Mr. WALSH of Montana. Exactly.

Mr. SHORTRIDGE. May I ask the Senator—it is not to engage in controversy, but to get his present view—remembering the address of the Senator from Idaho [Mr. BORAH], is the Senator from Montana of the present view that Great Britain will ever enter into any agreement in respect of contraband limiting permissible commerce to foodstuffs?

Mr. WALSH of Montana. I have quoted from leading London papers indicating a desire to reach an agreement with us about all these matters.

Mr. SHORTRIDGE. And may I infer that the Senator thinks that we would succeed in getting such an agreement?

Mr. WALSH of Montana. I have no very definite opinion on the subject. I want to try, at least.

Mr. SHORTRIDGE. Well, I will express my own view later.

Mr. WALSH of Montana. I see no reason why we should not try. I now yield to the Senator from Maryland.

Mr. BRUCE. I thank the Senator. I am much obliged to him; but we have passed the point on which I desired to question him.

Mr. FLETCHER. Mr. President, I wish to ask the Senator if he has any reason to believe that the causes of the failure of the Geneva conference have in any wise disappeared, or that we may be any more successful in the future than we were in the last effort?

Mr. WALSH of Montana. I have been suggesting something that I think will make it easier to arrive at an agreement; but, even if that should not be arrived at, I rather suspect that even in Great Britain there is as keen a disappointment over the failure of it as there is in the United States, and that a further conference, like a conference between this body and the House, might result in something.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. WALSH of Montana. I do.

Mr. BARKLEY. My understanding has been that one of the stumblingblocks that prevented an agreement between the United States and Great Britain in 1927 was the difference in the viewpoint of the two nations as to the particular type of cruiser necessary for the defense of each nation. For instance, Great Britain was willing to reduce cruisers of a larger tonnage because a smaller tonnage was more serviceable to her; whereas the United States was not willing to reduce larger cruisers, because that type of cruiser was more serviceable to this country than the smaller cruisers.

Mr. WALSH of Montana. Yes.

Mr. BARKLEY. Has the Senator any information that would lead to the belief that at the coming April conference these two points may be solved with any greater degree of certainty than was possible in 1927?

Mr. WALSH of Montana. I have not if the same negotiators come together again holding exactly the same views; I should expect the deadlock to continue. The Senator will remember, however, that the idea of Lord Lee was that it was a mistake to try to get naval officers to agree upon a limitation of armaments that would put a good many of them out of business.

Mr. BARKLEY. I am not entirely out of sympathy with that viewpoint.

Mr. WALSH of Montana. And his proposition was that if civilians were appointed to take up this matter, possibly some better results would be attained.

Mr. BARKLEY. Does the Senator think that the attitude assumed by these negotiators was contrary to the settled convictions in the two countries represented?

Mr. WALSH of Montana. I am not prepared to say. I am prepared to say, however, that the people in this country looked quite confidently to an agreement in which, of course, the interests of the United States would be entirely safeguarded.

Mr. BARKLEY. Of course, then, they were disappointed that it was impossble to reach an agreement?

Mr. WALSH of Montana. Quite so.

Mr. WHEELER. Mr. President, is it not a fact that the British press has changed its attitude a great deal with reference to this matter since the conference failed?

Mr. WALSH of Montana. I am not prepared to say.

Mr. BROOKHART. Mr. President, I should like to ask the Senator a question or two with regard to the doctrine of parity with Great Britain.

If we had a parity on the seas, would we not then have in all respects a very great advantage over Great Britain, since we have 3,000 miles of open line along the Canadian border, where we could easily triumph on the land?

Mr. WALSH of Montana. Of course, each country, by reason of its peculiar situation, has advantages. The United States has advantages in many ways. It is not dependent to any very appreciable extent upon other countries for its food supplies, for instance. Great Britain has a very decided advantage in her naval bases all over the world.

Mr. BROOKHART. Is not the fact of our long open line on the Canadian border a very powerful guaranty for peace with Great Britain all the time, regardless of the naval question?

Mr. WALSH of Montana. I so regard it, because if we were unfortunately involved in a war which would embrace Canada we have 120,000,000 people over here, and they have about ten or twelve million over there; so that it probably would not take very long for us to appropriate Canada. That undoubtedly is a guarantee of peace.

Mr. BROOKHART. Are we not in better shape to maintain our rights than England would be by merely maintaining a defensive attitude and an armament that would defend us against aggression?

Mr. WALSH of Montana. As I have indicated heretofore, I do not feel the least apprehension about any nation coming over here and assailing our territory. If we get into war with Great Britain, it will be because of these depredations upon our commerce when she is at war.

Mr. BROOKHART. Then if we build submarines and airships sufficient to defend our various territories, we can take care of our rights?

Mr. WALSH of Montana. But that would not help us at all if depredations were made upon our commerce in the Mediterranean Sea, for instance; or, I might add, as in the late war, our commerce with the Scandinavian countries.

Mr. BROOKHART. If our commerce were attacked in the Mediterranean Sea and we were at war with Great Britain and had these 15 cruisers, we would not dare send one of them to the Mediterranean Sea.

Mr. WALSH of Montana. The Senator perhaps is better advised about that; but I am not sufficient of a naval expert to venture any opinion on that subject.

Mr. BROOKHART. The submarines and the airships together would surely get them if we did. It would not be a safe place to send them at all.

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

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

Mr. WALSH of Montana. I yield.

Mr. FRAZIER. In view of the attitude of Great Britain toward our commerce in the early part of the World War, does the Senator think, had it not been for the fact that the German submarines made attacks on some of our commerce and caused the death of American citizens, that there would have been justification for the United States going to war with Great Britain?

Mr. WALSH of Montana. I do not like to say what would justify our going to war. I have no hesitancy in saying that upon all accepted principles we would be justified.

Mr. FRAZIER. Does the Senator remember the statement of Colonel House that was published in some of the magazines, that if it had not been for the unmerciful submarine activities of Germany the United States might have found itself on the side of the Central Powers instead of on the side of the Allies?

Mr. WALSH of Montana. That might possibly have happened.

Mr. BRUCE. But the Senator from Montana does not agree with that, I am sure, because he has just referred to the very powerful sentiment running in this country in favor of Great Britain and the Allies.

Mr. WALSH of Montana. At all times.

Mr. BRUCE. In the first place, because of our natural attachment to the British and our full sympathy with the cause of the Allies generally.

Mr. WALSH of Montana. So that whether the United States was justified or not, I do not think there was any very great likelihood at any time that we would have gone to war against the Allies.

EXHIBIT A

THE SECRETARY OF STATE TO AMBASSADOR W. H. PAGE

DEPARTMENT OF STATE,
Washington, October 21, 1915.

SIR: I desire that you present a note to Sir Edward Grey in the sense of the following:

(1) The Government of the United States has given careful consideration to Your Excellency's notes of January 7,[1] February 10,[1] June 22,[1] July 23,[1] July 31 (2),[1] August 13,[2] and to a note verbale of the British Embassy of August 6,[2] relating to restrictions upon American commerce by certain measures adopted by the British Government during the present war. This Government has delayed answering the earlier of these notes in the hope that the announced purpose of His Majesty's Government "to exercise their belligerent rights with every possible consideration for the interest of neutrals" and their intention of "removing all causes of avoidable delay in dealing with American cargoes" and of causing "the least possible amount of inconvenience to persons engaged in legitimate trade," as well as their "assurances to the United States Government that they would make it their first aim to minimize the inconveniences" resulting from the "measures taken by the allied governments," would in practice not unjustifiably infringe upon the neutral rights of American citizens engaged in trade and commerce. It is, therefore, a matter of regret that this hope has not been realized; but that, on the contrary, interferences with American ships and cargoes destined in good faith to neutral ports and lawfully entitled to proceed have become increasingly vexatious, causing American shipowners and American merchants to complain to this Government of the failure to take steps to prevent an exercise of belligerent power in contravention of their just rights. As the measures complained of proceed directly from orders issued by the British Government, are executed by British authorities, and arouse a reasonable apprehension that, if not resisted, they may be carried to an extent even more injurious to American interests, this Government directs the attention of His Majesty's Government to the following considerations:

(2) Without commenting upon the statistics presented by His Majesty's Government to show that the export trade of the United States has increased in volume since the war began further than to point out that the comparative values fail to take into account the increased price of commodities resulting from a state of war or to make any allowance for the diminution in the volume of trade which the neutral countries in Europe previously had with the nations at war, a diminution which compelled them to buy in other markets, I will pass directly to the matters which constitute the specific complaints of this Government.

(3) First. The detentions of American vessels and cargoes which have taken place since the opening of hostilities have, it is presumed, been pursuant to the enforcement of the orders in council, which were issued on August 20 and October 29, 1914, and March 11, 1915, and relate to contraband traffic and to the interception of trade to and from Germany and Austria-Hungary. In practice these detentions have not been uniformly based on proofs obtained at the time of seizure, but many vessels have been detained while search was made for evidence of the contraband character of cargoes or of an intention to evade the nonintercourse measures of Great Britain. The question, consequently, has been one of evidence to support a belief of—in many cases a bare suspicion of—enemy destination or occasionally of enemy origin of the goods involved. Whether this evidence should be obtained by search at sea before the vessel or cargo is taken into port, and what the character of the evidence should be, which is necessary to justify the detention, are the points to which I direct your excellency's attention.

(4) In regard to search at sea, an examination of the instructions issued to naval commanders of the United States, Great Britain, Russia, Japan, Spain, Germany, and France from 1888 to the beginning of the present war shows that search in port was not contemplated by the Government of any of these countries. On the contrary, the context of the respective instructions shows that search at sea was the procedure expected to be followed by the commanders. All of these instructions impress upon the naval officers the necessity of acting with the utmost moderation—and in some cases commanders are specifically instructed—in exercising the right of visit and search, to avoid undue deviation of the vessel from her course.

(5) An examination of the opinions of the most eminent text writers on the laws of nations shows that they give practically no consideration to the question of search in port outside of examination in the course of regular prize court proceedings.

(6) The assertion by His Majesty's Government that the position of the United States in relation to search at sea is inconsistent with its practice during the American Civil War is based upon a misconception. Irregularities there may have been at the beginning of that war, but a careful search of the records of this Government as to the practice of its commanders shows conclusively that there were no instances when vessels were brought into port for search prior to instituting prize court proceedings, or that captures were made upon other grounds than, in the words of the American note of November 7, 1914, "evidence found on the ship under investigation and not upon circumstances ascertained from external sources." A copy of the instruction issued to American naval officers on August 18, 1862, for their guidance during the Civil War is appended.

(7) The British contention that "modern conditions" justify bringing vessels into port for search is based upon the size and seaworthiness of modern carriers of commerce and the difficulty of uncovering the real transaction in the intricate trade operations of the present day. It is believed that commercial transactions of the present time, hampered as they are by censorship of telegraph and postal communications on the part of belligerents, are essentially no more complex and disguised than in the wars of recent years, during which the practice of obtaining evidence in port to determine whether a vessel should be held for prize proceedings was not adopted. The effect of the size and seaworthiness of merchant vessels upon their search at sea has been submitted to a board of naval experts, which reports that—

"At no period in history has it been considered necessary to remove every package of a ship's cargo to establish the character and nature of her trade or the service on which she is bound, nor is such removal necessary. * * *

"The facilities for boarding and inspection of modern ships are in fact greater than in former times, and no difference, so far as the necessities of the case are concerned, can be seen between the search of a ship of 1,000 tons and one of 20,000 tons—except possibly a difference in time—for the purpose of establishing fully the character of her cargo and the nature of her service and destination. * * * This method would be a direct aid to the belligerents concerned in that it would release a belligerent vessel overhauling the neutral from its duty of search and set it free for further belligerent operations."

(8) Turning to the character and sufficiency of the evidence of the contraband nature of shipments to warrant the detention of a suspected vessel or cargo for prize proceedings, it will be recalled that when a vessel is brought in for adjudication courts of prize have heretofore been bound by well-established and long-settled practice to consider at the first hearing only the ship's papers and documents, and the goods found on board, together with the written replies of the officers and seamen to standing interrogatories taken under oath, alone and separately, as soon as possible and without communication with or instruction by counsel, in order to avoid possibility of corruption and fraud.

(9) Additional evidence was not allowed to be introduced except upon an order of the court for "further proof," and then only after the cause had been fully heard upon the facts already in evidence or when this evidence furnished a ground for prosecuting the inquiry further. This was the practice of the United States courts during the War of 1812, the American Civil War, and the Spanish-American War, as is evidenced by the reported decisions of those courts, and has been the practice of the British prize courts for over a century. This practice has been changed by the British prize court rules adopted for the present war by the order in council of August 5. Under these new rules there is no longer a "first hearing" on the evidence derived from the ship, and the prize court is no longer precluded from receiving extrinsic evidence for which a suggestion has not been laid in the preparatory evidence. The result is, as pointed out above, that innocent

[1] Special supplement, July, 1915, pp. 60, 65, 141, 157, 162, 163.
[2] Supra, pp. 63, 64.

vessels or cargoes are now seized and detained on mere suspicion while efforts are made to obtain evidence from extraneous sources to justify the detention and the commencement of prize proceedings. The effect of this new procedure is to subject traders to risk of loss, delay, and expense so great and so burdensome as practically to destroy much of the export trade of the United States to neutral countries of Europe.

(10) In order to place the responsibility for the delays of vessels and cargoes upon American claimants, the order in council of October 29, 1914, as pointed out in the British note of February 10, seeks to place the burden of proof as to the noncontraband character of the goods upon the claimant in cases where the goods are consigned "to order" or the consignee is not named or the consignee is within enemy territory. Without admitting that the onus probandi can rightfully be made to rest upon the claimant in these cases, it is sufficient for the purposes of this note to point out that the three classes of cases indicated in the order in council of October 29 apply to only a few of the many seizures or detentions which have actually been made by British authorities.

(11) The British contention that in the American Civil War the captor was allowed to establish enemy destination by "all the evidence at his disposal," citing the *Bermuda* case (3 Wall. 515), is not borne out by the facts of that case. The case of the *Bermuda* was one of "further proof," a proceeding not to determine whether the vessel should be detained and placed in a prize court, but whether the vessel, having been placed in prize court, should be restored or condemned. The same ruling was made in the case of the *Sir William Peel* (5 Wall. 517). These cases, therefore, can not be properly cited as supporting the course of a British captor in taking a vessel into port, there to obtain extrinsic evidence to justify him in detaining the vessel for prize proceedings.

(12) The further contention that the greatly increased imports of neutral countries adjoining Great Britain's enemies raise a presumption that certain commodities, such as cotton, rubber, and others more or less useful for military purposes, though destined for those countries, are intended for reexportation to the belligerents, who can not import them directly, and that this fact justifies the detention for the purpose of examination of all vessels bound for the ports of those neutral countries, notwithstanding the fact that most of the articles of trade have been placed on the embargo lists of those countries, can not be accepted as laying down a just or legal rule of evidence. Such a presumption is too remote from the facts and offers too great opportunity for abuse by the belligerent, who could, if the rule were adopted, entirely ignore neutral rights on the high seas and prey with impunity upon neutral commerce. To such a rule of legal presumption the Government can not accede, as it is opposed to those fundamental principles of justice which are the foundation of the jurisprudence of the United States and Great Britain.

(13) Before passing from the discussion of this contention as to the presumption raised by increased importations to neutral countries, this Government directs attention to the fact that His Majesty's Government admit that the British exports to those countries have also materially increased since the present war began. Thus Great Britain concededly shares in creating a condition which is relied upon as a sufficient ground to justify the interception of American goods destined to neutral European ports. If British exports to those ports should be still further increased, it is obvious that, under the rule of evidence contended for by the British Government, the presumption of enemy destination could be applied to a greater number of American cargoes, and American trade would suffer to the extent that British trade benefited by the increase. Great Britain can not expect the United States to submit to such manifest injustice or to permit the rights of its citizens to be so seriously impaired.

(14) When goods are clearly intended to become incorporated in the mass of merchandise for sale in a neutral country, it is an unwarranted and inquisitorial proceeding to detain shipments for examination as to whether those goods are ultimately destined for the enemy's country or use. Whatever may be the conjectural conclusions to be drawn from trade statistics, which, when stated by value, are of uncertain evidence as to quantity, the United States maintains the right to sell goods into the general stock of a neutral country, and denounces as illegal and unjustifiable any attempt of a belligerent to interfere with that right on the ground that it suspects that the previous supply of such goods in the neutral country, which the imports renew or replace, has been sold to an enemy. That is a matter with which the neutral vendor has no concern and which can in no way affect his rights of trade. Moreover, even if goods listed as conditional contraband are destined to an enemy country through a neutral country, that fact is not in itself sufficient to justify their seizure.

(15) In view of these considerations, the United States, reiterating its position in this matter, has no other course but to contest seizures of vessels at sea upon conjectural suspicion and the practice of bringing them into port for the purpose, by search or otherwise, of obtaining evidence, for the purpose of justifying prize proceedings, of the carriage of contraband, or of breaches of the order in council of March 11. Relying upon the regard of the British Government for the principles of justice so frequently and uniformly manifested prior to the present war, this Government anticipates that the British Government will instruct their officers to refrain from these vexations and illegal practices.

(16) Second. The Government of the United States further desires to direct particular attention to the so-called "blockade" measures imposed by the order in council of March 11. The British note of July 23, 1915, appears to confirm the intention indicated in the note of March 15, 1915, to establish a blockade so extensive as to prohibit trade with Germany or Austria-Hungary, even through the ports of neutral countries adjacent to them. Great Britain, however, admits that it should not, and gives assurances that it will not, interfere with trade with the countries contiguous to the territories of the enemies of Great Britain. Nevertheless, after over six months' application of the "blockade" order, the experience of American citizens has convinced the Government of the United States that Great Britain has been unsuccessful in her efforts to distinguish between enemy and neutral trade. Arrangements have been made to create in these neutral countries special consignees, or consignment corporations, with power to refuse shipments and to determine when the state of the country's resources requires the importation of new commodities. American commercial interests are hampered by the intricacies of these arrangements, and many American citizens justly complain that their bona fide trade with neutral countries is greatly reduced as a consequence, while others assert that their neutral trade, which amounted annually to a large sum, has been entirely interrupted.

(17) It makes this practice even more harassing to neutral traders that the British authorities require a consignor to prove that his shipments are not bound to an enemy of Great Britain, even when the articles are on the embargo list of the neutral country to which they are destined, and that notwithstanding the assertion in the last British note that interference with such trade by a belligerent can only take place "provided, of course, that he (the belligerent) can establish" that the commerce is with the enemy.

(18) While the United States Government was at first inclined to view with leniency the British measures which were termed in the correspondence but not in the order in council of March 11 a "blockade," because of the assurances of the British Government that inconvenience to neutral trade would be minimized by the discretion left to the courts in the application of the order in council and by the instructions which it was said would be issued to the administrative and other authorities having to do with the execution of the so-called "blockade" measures, this Government is now forced to the realization that its expectations, which were fully set forth in its note of March 30, were based on a misconception of the intentions of the British Government. Desiring to avoid controversy and in the expectation that the administration of the order in council would conform to the established rules of international law, this Government has until now reserved the question of the actual validity of the order in council of March 11, in so far as it is considered by the Government of Great Britain to establish a blockade within the meaning of that term as understood in the law and the practice of nations; but in the circumstances now developed it feels that it can no longer permit the validity of the alleged blockade to remain unchallenged.

(19) The declaration of Paris in 1856, which has been universally recognized as correctly stating the rule of international law as to blockade, expressly declares that "blockades, in order to be binding, must be effective; that is to say, maintained by force sufficient really to prevent access to the coast of the enemy." The effectiveness of a blockade is manifestly a question of fact. It is common knowledge that the German coasts are open to trade with the Scandinavian countries and that German naval vessels cruise both in the North Sea and the Baltic and seize and bring into German ports neutral vessels bound for Scandinavian and Danish ports. Furthermore, from the recent placing of cotton on the British list of contraband of war, it appears that the British Government have themselves been forced to the conclusion that the blockade is ineffective to prevent shipments of cotton from reaching their enemies, or else that they are doubtful as to the legality of the form of blockade which they have sought to maintain.

(20) Moreover, it is an essential principle, which has been universally accepted, that a blockade must apply impartially to the ships of all nations. This was set forth in the declaration of London is found in the prize rules of Germany, France, and Japan, and has long been admitted as a basic principle of the law of blockade. This principle, however, is not applied in the present British "blockade," for, as above indicated, German ports are notoriously open to traffic with the ports of Denmark, Norway, and Sweden. So strictly has this principle been enforced in the past that in the Crimean War the judicial committee of the privy council on appeal laid down that if belligerents themselves trade with blockaded ports they can not be regarded as effectively blockaded. (*The Franciska*, Moore, P. C., 56.) This decision has special significance at the present time, since it is a matter of common knowledge that Great Britain exports and reexports large quantities of merchandise to Norway, Sweden, Denmark, and Holland, whose ports, so far as American commerce is concerned, she regards as blockaded. In fact, the British note of August 13

itself indicates that the British exports of many articles, such as cotton, lubricating oil, tobacco, cocoa, coffee, rice, wheat flour, barley, spices, tea, copra, etc., to these countries have greatly exceeded the British exports of the same articles for the corresponding period of 1914. The note also shows that there has been an important British trade with those countries in many other articles, such as machinery, beef, butter, cotton waste, etc.

(21) Finally there is no better-settled principle of the law of nations than that which forbids the blockade of neutral ports in time of war. The declaration of London, though not regarded as binding upon the signatories, because not ratified by them, has been expressly adopted by the British Government without modification as to blockade in the British order in council of October 29, 1914. Article 18 of the declaration declares specifically that "the blockading forces must not bar access to neutral ports or coasts." This is, in the opinion of this Government, a correct statement of the universally accepted law as it exists to-day and as it existed prior to the declaration of London. The meaning of this statement is elucidated by Mr. Renault in the report of the drafting committee upon the convention, in which he states:

"This rule has been thought necessary the better to protect the commercial interests of neutral countries; it completes article 1, according to which a blockade must not extend beyond the ports and coasts of the enemy, which implies that, as it is an operation of war, it must not be directed against a neutral port, in spite of the importance to a belligerent of the part played by that port in supplying his adversary."

As the conference assembled at London upon the invitation of the British Government it is important to recall the instruction of Sir Edward Grey to the British delegates, "setting out the views of His Majesty's Government, founded on the decisions of the British courts," in which he says:

"A blockade must be confined to the ports and coast of the enemy, but it may be instituted of one port or of several ports or of the whole of the seaboard of the enemy. It may be instituted to prevent the ingress only or egress only, or both."

He added:

"Where the ship does not intend to proceed to the blockaded port, the fact that goods on board are to be sent on by sea or by inland transport is no ground for condemnation."

In support of this announcement Sir Edward Grey referred to several decisions of British prize courts, among which an early one of 1801 held that goods shipped from London to Emden, thense inland or by canal to Amsterdam, then blockaded by sea, were not subject to condemnation for breach of blockade. (Jonge Pieter, 4 C. R., 79.) This has been the rule for a century, so that it is scarcely necessary to recall that the Matamoros cases, well known to the British Government, support the same rule, that neutral ports may not be blockaded, though "trade with unrestricted inland commerce between such a port and the enemy's territory impairs undoubtedly, and very seriously impairs, the value of a blockade of the enemy's coast."

(22) Without mentioning the other customary elements of a regularly imposed blockade, such as notification of the particular coast line invested, the imposition of the penalty of confiscation, etc., which are lacking in the present British "blockade" policy, it need only be pointed out that, measured by the three universally conceded tests above set forth, the present British measures can not be regarded as constituting a blockade in law, in practice, or in effect.

(23) It is incumbent upon the United States Government, therefore, to give the British Government notice that the blockade, which they claim to have instituted under the order in council of March 11, can not be recognized as a legal blockade by the United States.

(24) Since the Government of Great Britain has laid much emphasis on the ruling of the Supreme Court of the United States in the *Springbok* case, that goods of contraband character seized while going to the neutral port of Nassau, though actually bound for the blockaded ports of the South, were subject to condemnation, it is not inappropriate to direct attention to the British view of this case in England prior to the present war, as expressed by Sir Edward Grey in his instructions to the British delegates to the London conference in 1908:

"It is exceedingly doubtful whether the decision of the Supreme Court was in reality meant to cover a case of blockade running in which no question of contraband arose. Certainly, if such was the intention, the decision would pro tanto be in conflict with the practice of the British courts. His Majesty's Government sees no reason for departing from that practice, and you should endeavor to obtain general recognition of its correctness."

It may be pointed out also that the cimcumstances surrounding the *Springbok* case were essentially different from those of the present day to which the rule laid down in that case is sought to be applied. When the *Springbok* case arose the ports of the Confederate States were effectively blockaded by the naval forces of the United States, though no neutral ports were closed, and a continuous voyage through a neutral port required an all-sea voyage terminating in an attempt to pass the blockading squadron.

(25) Third. It appears to be the position of Great Britain that if, as the United States alleges, American citizens or American interests are directly and adversely affected by the British policies of contraband and nonintercourse, resulting in interference with ships and cargoes, they should seek redress in the prize courts which the British Government have established, and that, pending the exhaustion of such legal remedies with the result of a denial of justice, the British Government "can not continue to deal through the diplomatic channels with the individual cases."

(26) It is declared that this was the course followed by the United States during the American Civil War and the Spanish War, and that both countries have supported the practice by allowing their prize court decisions, when shown to be unjust or inadequate, to be reviewed by an international tribunal, as was done under the treaties of 1794 and 1871. The ground upon which this contention is put forth, and the results which would follow, if the course of procedure suggested were accepted, give the impression that His Majesty's Government do not rely upon its soundness or strength. Nevertheless, since it has been advanced, I can not refrain from presenting certain considerations which will show that the proposed course embodies the form rather than the substance of redress. The cases which the British Government would have claimants present to their prize courts are essentially different from cases arising wholly within the jurisdiction of a foreign country. They result from acts committed by the British naval authorities upon the high seas, where the jurisdiction over neutral vessels is acquired solely by international law. Vessels of foreign nationality, flying a neutral flag and finding their protection in the country of that flag, are seized without facts warranting a reasonable suspicion that they are destined to blockaded ports of the enemy or that their cargoes are contraband, although the possession of such facts is, by international law, essential to render a seizure legal.

The officers appear to find their justification in the orders in council and regulations of the British Government, in spite of the fact that in many of the present cases the orders in council and the regulations for their enforcement are themselves complained of by claimants as contrary to international law. Yet the very courts which, it is said, are to dispense justice to dissatisfied claimants, are bound by the orders in council. This is unmistakably indicated to be the case in the British note of July 31, which states that—

"British prize courts, according to the ancient form of commission under which they sit are to determine cases according to the course of admiralty and the law of nations and the statutes, rules, and regulations for the time being in force in that behalf."

This principle, the note adds, has recently been announced and adhered to by the British prize court in the case of the *Zamora*. It is manifest, therefore, that, if prize courts are bound by the laws and regulations under which seizures and detentions are made, and which claimants allege are in contravention of the law of nations, those courts are powerless to pass upon the real ground of complaint or to give redress for wrongs of this nature. Nevertheless, it is seriously suggested that claimants are free to request the prize court to rule upon a claim of conflict between an order in council and a rule of international law. How can a tribunal fettered in its jurisdiction and procedure by municipal enactments declare itself emancipated from their restrictions and at liberty to apply the rules of international law with freedom? The very laws and regulations which bind the court are now matters of dispute between the Government of the United States and that of His Britannic Majesty. If Great Britain followed, as she declares that she did, the course of first referring claimants to local remedies in cases arising out of American wars, it is presumed that she did so because of her knowledge or understanding that the United States had not sought to limit the jurisdiction of its courts of prize by instructions and regulations violative of the law and practice of nations, or open to such objection.

(27) The British note of February 10 states that the British Government in the American Civil War—

"In spite of remonstrances from many quarters, placed full reliance on the American prize courts to grant redress to the parties interested in cases of alleged wrongful capture by American ships of war and put forward no claim until the opportunity for redress in those courts had been exhausted."

The Government of the United States recalls that during the progress of that war, Great Britain, in several instances, demanded through diplomatic channels, damages for seizures and detentions of British ships alleged to have been made without legal justification. Among these may be mentioned the case of the *Magicienne*, the *Don Jose*, the *Labuan*, and the *Saxon*. Two of these cases were, at the time the demands were made, before American prize courts for adjudication. It is understood also that during the Boer War, when British authorities seized the German vessels, the *Hertzog*, *The General*, and *The Bundesrath*, and released them without prize proceedings, compensation for damages suffered was arranged through diplomatic channels.

(28) There is, furthermore, a real and far-reaching injury for which prize courts offer no means of reparation. It is the disastrous effect of the methods of the allied governments upon the general right of the United States to enjoy its international trade free from unusual and arbitrary limitations imposed by belligerent nations. Unwarranted de-

lay and expense in bringing vessels into port for search and investigation upon mere suspicion has a deterrent effect upon trade ventures, however lawful they may be, which can not be adequately measured in damages. The menace of interference with legal commerce causes vessels to be withdrawn from their usual trade routes and insurance on vessels and cargoes to be refused, while exporters for the same reason are unable or unwilling to send their goods to foreign markets, and importers dare not buy commodities abroad because of fear of their illegal seizure or because they are unable to procure transportation. For such injuries there can be no remedy through the medium of courts established to adjust claims for goods detained or condemned. For specific injuries suffered by private interests prize courts, if they are free to apply the law of nations, might mete out an adequate indemnity, but for the injury to the trade of a nation by the menace of unwarranted interference with its lawful and established pursuit there can manifestly be found no remedy in the prize courts of Great Britain, to which United States citizens are referred for redress.

(29) There is another ground why American citizens can not submit their wrongs arising out of undue detentions and seizures to British prize courts for reparation which I can not pass over unnoticed. It is the manner in which British courts obtain jurisdiction of such cases. The jurisdiction over merchant vessels on the high seas is that of the nation whose flag it rightfully flies. This is a principle of the law and practice of nations fundamental to the freedom of the high seas. Municipal enactments of a belligerent power can not confer jurisdiction over or establish rules of evidence governing the legality of seizures of vessels of neutral nationality on the high seas. International law alone controls the exercise of the belligerent right to seize and detain such vessels. Municipal laws and regulations in violation of the international rights of another nation, can not be extended to the vessels of the latter on the high seas so as to justify a belligerent nation bringing them into its ports, and having illegally brought them within its territorial jurisdiction, compelling them to submit to the domestic laws and regulations of that nation. Jurisdiction obtained in such a manner is contrary to those principles of justice and equity which all nations should respect. Such practice should invalidate any disposition by a municipal court of property thus brought before it. The Government of the United States has, therefore, viewed with surprise and concern the attempt of His Majesty's Government to confer upon the British prize courts jurisdiction by this illegal exercise of force in order that these courts may apply to vessels and cargoes of neutral nationalities, seized on the high seas, municipal laws and orders which can only rightfully be enforceable within the territorial waters of Great Britain, or against vessels of British nationality when on the high seas.

(30) In these circumstances the United States Government feels that it can not reasonably be expected to advise its citizens to seek redress before tribunals which are, in its opinion, unauthorized by the unrestricted application of international law to grant reparation, nor to refrain from presenting their claims directly to the British Government through diplomatic channels.

(31) This Government is advised that vessels and cargoes brought in for examination prior to prize proceedings are released only upon condition that costs and expenses incurred in the course of such unwarranted procedure, such as pilotage, wharfage, demurrage, harbor dues, warehouseage, unlading costs, etc., be paid by the claimants or on condition that they sign a waiver of right to bring subsequent claims against the British Government for these exactions. This Government is loath to believe that such ungenerous treatment will continue to be accorded American citizens by the Government of His Britannic Majesty, but in order that the position of the United States Government may be clearly understood, I take this opportunity to inform Your Excellency that this Government denies that the charges incident to such detentions are rightfully imposed upon innocent trade or that any waiver of indemnity exacted from American citizens under such conditions of duress can preclude them from obtaining redress through diplomatic channels or by whatever other means may be open to them.

(32) Before closing this note, in which frequent reference is made to contraband traffic and contraband articles, it is necessary, in order to avoid possible misconstruction, that it should be clearly understood by His Majesty's Government that there is no intention in this discussion to commit the Government of the United States to a policy of waiving any objections which it may entertain as to the propriety and right of the British Government to include in their list of contraband of war certain articles which have been so included. The United States Government reserves the right to make this matter the subject of a communication to His Majesty's Government at a later day.

(33) I believe it has been conclusively shown that the methods sought to be employed by Great Britain to obtain and use evidence of enemy destination of cargoes bound for neutral ports and to impose a contraband character upon such cargoes are without justification; that the blockade, upon which such methods are partly founded, is ineffective, illegal, and indefensible; that the judicial procedure offered as a means of reparation for an international injury is inherently defective for the purpose; and that in many cases jurisdiction is asserted in violation of the law of nations. The United States, therefore, can not submit to the curtailment of its neutral rights by these measures, which are admittedly retaliatory, and therefore illegal, in conception and in nature, and intended to punish the enemies of Great Britain for alleged illegalities on their part. The United States might not be in a position to object to them if its interests and the interests of all neutrals were unaffected by them, but, being affected, it can not with complacence suffer further subordination of its rights and interests to the plea that the exceptional geographic positions of the enemies of Great Britain require or justify oppressive and illegal practices.

(34) The Government of the United States desires, therefore, to impress most earnestly upon His Majesty's Government that it must insist that the relations between it and His Majesty's Government be governed, not by a policy of expediency, but by those established rules of international conduct upon which Great Britain in the past has held the United States to account when the latter Nation was a belligerent engaged in a struggle for national existence. It is of the highest importance to neutrals not only of the present day but of the future that the principles of international right be maintained unimpaired.

(35) This task of championing the integrity of neutral rights, which has received the sanction of the civilized world against the lawless conduct of belligerents arising out of the bitterness of the great conflict which is now wasting the countries of Europe, the United States unhesitatingly assumes, and to the accomplishment of that task it will devote its energies, exercising always that impartiality which from the outbreak of the war it has sought to exercise in its relations with the warring nations.

I inclose as supplements to this instruction the United States Navy Order of August 18, 1862, and a statement regarding vessels detained by British authorities. These two documents should be transmitted as inclosures in your note to Sir Edward Grey.

I am, etc.,

ROBERT LANSING.

[Inclosures: United States Navy Order of August 18, 1862, and statement regarding vessels detained by British authorities]

APPENDIX No. 1

INSTRUCTIONS OF THE SECRETARY OF THE NAVY TO FLAG OFFICERS COMMANDING SQUADRONS AND OFFICERS COMMANDING CRUISERS, RELATIVE TO THE RIGHT OF SEARCH

NAVY DEPARTMENT, *August 18, 1862.*

SIR: Some recent occurrences in the capture of vessels, and matters pertaining to the blockade, render it necessary that there should be a recapitulation of the instructions heretofore from time to time given, and also of the restrictions and precautions to be observed by our squadrons and cruisers.

It is essential, in the remarkable contest now waging, that we should exercise great forbearance, with great firmness, and manifest to the world that it is the intention of our Government, while asserting and maintaining our own rights, to respect and scrupulously regard the rights of others. It is in this view that the following instructions are explicitly given:

First. That you will exercise constant vigilance to prevent supplies of arms, munitions, and contraband of war from being conveyed to the insurgents, but that under no circumstances will you seize any vessel within the waters of a friendly nation.

Secondly. That while diligently exercising the right of visitation on all suspected vessels, you are in no case authorized to chase and fire at a foreign vessel without showing your colors and giving her the customary preliminary notice of a desire to speak and visit her.

Thirdly. That when that visit is made the vessel is not then to be seized without a search carefully made, so far as to render it reasonable to believe that she is engaged in carrying contraband of war for or to the insurgents, and to their ports directly or indirectly by transshipment, or otherwise violating the blockade; and that if, after visitation and search, it shall appear to your satisfaction that she is in good faith and without contraband actually bound and passing from one friendly or so-called neutral port to another, and not bound or proceeding to or from a port in the possession of the insurgents, then she can not be lawfully seized.

Fourthly. That, to avoid difficulty and error in relation to papers which strictly belong to the captured vessel, and mails that are carried, or parcels under official seals, you will, in the words of the law, "preserve all the papers and writings found on board and transmit the whole of the originals unmutilated to the judge of the district to which such prize is ordered to proceed"; but official seals, or locks, or fastenings of foreign authorities are in no case, nor on any pretext, to be broken, or parcels covered by them read by any naval authorities, but all bags or other things covering such parcels, and duly seized and fastened by foreign authorities, will be, in the discretion of the United States officer to whom they may come, delivered to the consul, commanding naval officer, or legation of the foreign government, to be opened, upon the understanding that whatever is contraband or important as evidence concerning the character of a captured vessel will be remitted to the prize court or to the Secretary of State at Washington, or such sealed bag or parcels may be at once forwarded to this department, to the end that the proper authorities of the foreign government may receive the same without delay.

You are specially informed that the fact that a suspicious vessel has been indicated to you as cruising in any limit which has been prescribed by this department does not in any way authorize you to depart from the practice of the rules of visitation, search, and capture prescribed by the law of nations.

Very respectfully,

GIDEON WELLES,
Secretary of the Navy.

APPENDIX No. 2

STATEMENT REGARDING VESSELS DETAINED BY BRITISH AUTHORITIES

SEPTEMBER 10, 1915.

(1) Vessels whose cargoes and papers have been of such a character as to require but brief time for examination have been held in British ports, according to this Government's information, for prolonged periods, in some instances for more than a month, and then released without the institution of prize-court proceedings.

The steamer *Chester*, which sailed from Baton Rouge for Rotterdam with a cargo of illuminating oil, was taken into Falmouth September 21, 1914, and held November 4 of that year.

The steamer *Ocean*, carrying the same kind of a cargo, from New York to Rotterdam, was taken into Plymouth September 23, 1914, and similarly released November 5.

The steamer *Charlois* and the steamer *New York*, carrying similar cargoes, were taken into British ports on September 30 and October 12, 1914, respectively, and similarly released on October 27.

The steamers *American* and *Rotterdam*, carrying cargoes of oil to Rotterdam, were also detained under conditions similar to those of the vessels just mentioned in the fall of 1914.

The steamer *Christian Knudsen*, carrying a cargo of oil in bulk, consigned to a Danish corporation in Copenhagen, was brought into the port of Kirkwall, detained for 11 days, and then released.

Vessels carrying oil from the United States to long-established markets in Scandinavian countries have repeatedly been detained without being sent to the prize court for adjudication. Among them may be mentioned the *Brindilla*, the *Platuria*, the *Wico*, the *Polarine*, the *Pioneer*, the *Llama*, the *Muskogee*, and the *John D. Rockefeller*.

The steamer *Denver*, which carried a full cargo of cotton from Norfolk to Bremen, and which had been loaded under the supervision of a British consular officer, was taken into Kirkwall in January last, as the department was informed by the British Government, just to examine her papers and to verify her cargo.

The *George W. Hawley* was held for a month because she refused to comply with a requirement of the British authorities to discharge a single shipment, the illegal destination of which does not appear to have been disclosed by any evidence. The vessel carried a mixed cargo, including a shipment of oil. The British authorities insisted that the vessels should discharge the oil, which, the shipper represented, was consigned to one of its long-established agents in Sweden. Finally it was announced that the vessel would be released as an act of grace.

The steamer *Wico* was held by the British authorities last March. This Government was advised that the British minister at Stockholm had informed the Swedish Foreign Office that the vessel had arrived in a British port with a full cargo of oil for a concern in Stockholm, and that, in view of the recent seizure by a German man-of-war of the steamship *Bryssel* and her cargo, the British Government required complete assurances from the Swedish Government before the *Wico* could be allowed to proceed to destination, that she would not share the fate of the *Bryssel*.

Subsequently this Government was informed that the vessel had been allowed to proceed, but that the British Government felt that, in the event of further cargoes going to Stockholm being seized by German ships, the whole question of permitting oil cargoes to proceed to that destination would have to be seriously reconsidered.

The steamer *Llama*, carrying a cargo of oil to a Scandinavian port, was taken into Kirkwall and subsequently released on June 5 last. After departing from Kirkwall the ship was again arrested on June 6, and although the officer of the war vessel which seized the *Llama* apparently was shown the ship's release papers, he placed a prize crew on board and ordered the vessel to Aberdeen and thence to Leith, where she was finally released on June 12, although she could not proceed until June 15, owing to a shortage of coal.

(2) Vessels have been held until they have reconsigned their cargoes to a consignee in a neutral country designated by the British Government.

The steamer *Seguranca*, which carried a general cargo from New York to the Netherlands, was detained at a great loss to the owners of the vessel and to the shippers in a British port for the greater part of last April, in order that her cargo might be reconsigned to the Netherlands Oversea Trust. The manifest showed that the entire cargo was consigned to named consignees in the Netherlands and was accompanied by a certificate of the British consul general in New York, stating that the loading was supervised by his inspector and that the vessel contained no cargo other than that specified in the manifest. A large part of the cargo, consisting of fresh fruit stored in the hold of the vessel, was subject to decay with great rapidity.

A similar requirement was imposed on the steamer *F. J. Lisman*, which during last June was detained at London. It appears that, after a prolonged detention of the ship of over a month, representatives of the shippers were compelled to discharge both contraband and noncontraband articles, and that the captain and the shippers, finding their efforts to comply with the requirements of the British authorities hopeless, abandoned the voyage.

The steamers *A. A. Raven* and *Vitalia*, carrying articles listed as conditional contraband, were detained in a British port in March last until the goods shipped to specified consignees in Holland could be consigned to the Netherlands Oversea Trust.

The steamer *Neches* was detained last May for about two weeks in order that a shipment of cotton destined for Rotterdam might be consigned to the Netherlands Oversea Trust.

The steamer *Zzandjik* was detained last June, as the department was informed, while the British minister at The Hague made inquiries as to whether the Netherlands Oversea Trust had accepted the consignment of the cargo.

(3) Detentions have been made without evidence amounting to probable cause. The steamer *Annam*, which was detained at Kirkwall last April, carried a cargo of food products from the United States to Swedish ports. She was detained owing to a "suspicion," as the British Government stated, that a part of its cargo was destined for Germany.

The steamer *Dronning Olga* was detained at Kirkwall in April last and the cargo, which consisted of cotton and food products, was placed in the prize court on the ground, as the department was informed by the British Government, that it was "believed" that it was ultimately destined for Germany.

The steamer *Hilding*, which sailed from New York for Copenhagen with a general cargo consisting largely of food products, was seized and taken into Leith last April, and this Government was informed that the cargo has been seized as contraband with the expectation of holding it under the Order in Council of March 11, 1915, if the charge that the goods were contraband should fail.

Numerous similar instances might be cited.

The steamers *Christian Knudsen* and *Platuria*, carrying oil from New York to Denmark, were detained by the British authorities last fall, taken into British ports, and held until the British Government, as they stated, could make an investigation as to the destination of the cargo. Furthermore, this Government was informed that the vessels had been detained pending the receipt of guarantees from Denmark against the exportation of the cargoes, and that the orders were given for the release of the vessels on the receipt of satisfactory guarantees.

The steamer *Brindilla*, which sailed from New York October 13 last with a cargo of oil for Alexandria, was taken into port at Halifax and later released, as the department was informed, when the British authorities received information that the ship's cargo was expected at Alexandria.

The steamer *Ambra* was taken into a British port in July last, and this Government was informed that this vessel was held pending inquiries that had been instituted concerning destination of certain items of her cargo. About a week later the vessel was allowed to proceed.

In July last this Government was informed by the British Government that the prolonged detention of the oil steamers *Polarine*, *Platuria*, and *Pioneer* was due to the fact that his Majesty's Government's attention had latterly been drawn to the very large quantities of oil which had been shipped to Scandinavian countries during the last few months; that there had been every reason to suspect that some of the oil was destined for enemy countries; and that the arrival of the steamers in quick succession necessitated the institution of inquiries as to the ultimate destination of the oil.

The owners of these vessels and their cargoes complained to the Government of the United States against their detention, stating that the vessels carried the usual cargoes consigned in good faith to long-established subsidiaries in neutral countries, and further representing that, since supplies from Russia and Rumania had been prevented from entering Scandinavian ports, a large increase of business with them had been expected, but it had been found that during the first five months of the year 1915 total shipments of all petroleum products to these countries were less than for the same period last year, although business in previous years had steadily increased.

(4) Vessels have been held, according to statements of the British Government, because of the manner in which shipments have been consigned.

The steamer *Einerjarl* was brought into Kirkwall last May and its cargo of cottonseed cake, shipped from Newport News to Denmark, which the shippers represented was to be used exclusively for consumption in Denmark, was seized. This Government was informed that the cargo was discharged because it was consigned "to order."

The steamers *Alfred*, *Nobel*, *Bjorstjerne*, *Bjornsen*, and *Friedland* were seized last autumn because their cargoes were consigned "to order."

The shipments on the steamers *America* and *Artemis* have been placed in prize court under the order in council of March 11, 1915, because,

the goods being consigned by the shippers to themselves, there was no guarantee of their ultimate destination.

(5) Goods have been seized by the British Government on the ground, as this Government has been informed, that the country to which they were shipped had not prohibited their export.

In the fall of the year 1914 copper shipped from the United States to Sweden on the steamers *Francisco, Antares, Idaho, Tyr,* and *Toronto* was seized by the British authorities because, as the British Government stated, the Swedish Government had not yet prohibited the reexportation of copper from Sweden.

A consignment of rubber on the Swedish ship *Zamora* had been placed in prize court last January because, as the British Government stated, of the absence of a comprehensive prohibition on the exportation of rubber in all its forms from Denmark.

(6) The British authorities have repeatedly seized articles classified as contraband, articles classified as conditional contraband, as well as noncontraband goods, shipped to Scandinavian countries to the Netherlands and to Italy, then neutral, althought the reexportation of such commodities from these countries had been forbidden.

In December last the steamer *Tellus* was ordered to discharge a shipment of copper shipped from New York directly to a consignee in Milan, Italy, although by an Italian decree of November 13, 1914, the exportation of goods shipped in this manner was forbidden.

The steamer *Joseph W. Fordney* was seized 4 miles off the coast of Norway and, in charge of a prize crew, brought into Kirkwall April 8 last. The ship's manifest showed that the cargo consisted entirely of cattle fodder consigned to a person in Malmo, Sweden. It appeared from information presented to this Government that an affidavit regarding the character and destination of the cargo, made by the shipper of the entire cargo, was attached to the bill of lading, and that this affidavit contained a certification by the British consul general and Swedish consul and also a statement by the latter to the effect that the exportation from Sweden of the goods of which the cargo consisted was prohibited. The vessel was brought into a British port and her cargo discharged. This Government was informed by the British Government that, apart from the uncertainty of the address of the consignee of the cargo of this vessel, His Majesty's Government had evidence that the cargo was not destined for bona fide Swedish consumption but was intended for Germany.

Numerous other similar instances might be cited, including those of the detention of vessels carrying oil to Scandinavian ports which have been mentioned.

(7) Detentions have been made pending assurances that embargoed goods would be allowed to pass through a neutral country to Great Britain's allies.

The steamer *Leelanaw,* which carried a cargo of cotton from Galveston to Gothenburg for transshipment to Moscow, was detained in a British port early in June last. Relative to the detention of this vessel the British foreign office said:

"In view of the fact that cotton has now been placed on the Swedish prohibition of export list, His Majesty's Government have not considered it advisable to allow this large cargo to go on to Gothenburg until they are assured that there is a fair chance of it reaching its declared ultimate destination."

After nearly a month's detention the vessel was released on the understanding that she should proceed directly to Archangel.

The steamers *Jentland* and *Syrius* appear to have been recently detained under circumstances similar to those of the steamer *Leelanaw.*

(8) From time to time this Government has been informed of the seizure of cargoes on the ground that consignees have been known to trade with the enemy or because they were suspected of doing so.

In January last this Government was advised by the British Government that the British Government had been compelled to place in prize court a consignment of rubber on board the Swedish vessel *Zamora,* the consignee of these goods being regarded with grave suspicion, and there being reason to believe that the ultimate destination of the rubber was the enemy forces.

(9) Vessels have been seized and brought into port and have been required by the British authorities to pay pilotage, harbor, unlading, warehouse, storage or other dues, costs, and expenses in advance of a judicial determination of the validity of the seizure of vessel or cargo.

Instances of such treatment of vessels may be found in the cases of the detention of the steamer *Neches* last May, the *Ogeechee,* which was seized last April, and the *Antilla,* which was seized in February last and subjected to a prolonged detention. In the case of the last-mentioned ship, it appears, however, that the cost of discharging was borne by the British Government.

(10) Detentions of vessels proceeding from European ports:

The steamer *Ogeechee,* which left Bremen April 3 last for the United States, was detained at Sharpness and compelled to discharge its entire cargo, which consisted of approximately 200 shipments of goods urgently needed by American citizens. In most if not all cases it appears that ownership of these goods at the time of the seizure had passed to American consignees. In many instances American citizens had contracted for the sale of the goods consigned to them and were prevented from carrying out their contracts.

The release of shipments on the vessel has been allowed on the production of proofs of American ownership of the goods prior to March 11, 1915. American consignees in order to avoid loss have endeavored to comply with the requirements in the presentation of proofs.

The steamer *Neches,* which sailed from Rotterdam to the United States, was brought to London and compelled, in June last, to discharge cargo on the ground, apparently, that the goods originated partly in Belgium. The vessel was detained about a month and, after having been damaged to the extent of approximately £1,500 as a result of a collision with another vessel while under the control of the British Admiralty, and after having been involved in litigation growing out of such collision, was allowed to proceed.

The following is a list of the vessels detained prior to March 11 last, among which are some regarding the detention of which details have been briefly stated in this memorandum:

Platuria, Brindilla, John D. Rockefeller, Kroonland, Noorham, Rotterdam, Sandefjord, Thomas J. Fordney, Fram, Edward Pierce, Ellen, Tellus, Sif, Kim, Canton, Ogeechee, Friedland, Galileo, Uller, Verona, Zuiderdijk, Greenbrier, Herm, Arkansas, Ascot, Carolyn, Breiford, Bergensfjord, Bjornstjerne, Bjornsen, Ida Cuneo, Kentucky, General Minetonka, General Caloric, Denver.

The following is an incomplete list of vessels carrying American cargoes which, sailing in practically all instances from American to Scandinavian ports, were diverted by British authorities to the port of Kirkwall, or called at that port under instructions from owners, from March 11, 1915, to June 17, 1915:

Name of vessel	Cargo	Date of arrival in British ports	Date of leaving British ports
Elsa; part cargo put in prize court; ordered Sunderland to discharge		Mar. 11, 1915	Mar. 15, 1915
Maracas; cargo put in prize court; ordered Hull to discharge.		do	Mar. 16, 1915
Gudrun; bound from Europe to the United States.		do	Mar. 11, 1915
Amphitrite	Cottonseed cake	Mar. 12, 1915	Mar. 14, 1915
Jens Bang; bound from Europe to the United States		do	Mar. 12, 1915
Rodfaze	Maize	do	Mar. 14, 1915
Ran	Maize and rye	do	Do.
Lisken	do	do	Mar. 12, 1915
Absalon		do	Mar. 13, 1915
Wico	Oil	Mar. 13, 1915	Mar. 31, 1915
Torvig	Cottonseed cake	do	Mar. 15, 1915
Green Briar		do	Mar. 16, 1915
Einar Jarl	Cotton	do	Do
Ogeechee		Mar. 14, 1915	Do.
Tancred	Cotton	do	Do.
John Blummer	Oil cake	do	Do.
Sutra	Cotton	do	Mar. 15, 1915
Frogner	General	Mar. 15, 1915	Mar. 18, 1915
Hjortholm		Mar. 17, 1915	Do.
California	General	do	Mar. 23, 1915
Uffe; bound from Europe to United States via Ardrossan		Mar. 19, 1915	Mar. 19, 1915
Carl Henckel	Cottonseed cake	Mar. 20, 1915	Mar. 25, 1915
Helga	do	do	Mar. 31, 1915
Newa	do	do	Mar. 26, 1915
Havet		do	Mar. 23, 1915
Terno	Maize	do	Do.
United States	General	Mar. 21, 1915	Mar. 24, 1915
Texas	do	do	Do.
Haakon VII	Cotton	do	Mar. 23, 1915
Varing	Oil cake	do	Mar. 26, 1915
Sinsen		do	Mar. 23, 1915
Oxelosund	Wheat	do	Do.
Sigurd		do	Mar. 22, 1915
Myrdal	General	Mar. 22, 1915	Mar. 24, 1915
Sark	Maize and barley	do	Mar. 28, 1915
Borgland	Cotton	do	Mar. 24, 1915
Vard	Grain, oil cake, and starch.	Mar. 23, 1915	Mar. 25, 1915
Nike; sailed for Newcastle	Maize	do	Apr. 1, 1915
Gulfaxe	Wheat, maize, rye, and barley.	do	Mar. 25, 1915
New Sweden; prize crew to Newcastle.	General	do	Mar. 29, 1915
Stikelstad	do	do	Apr. 4, 1915
Korsfjord; whole cargo put in prize court; ordered Grimsby to discharge.	Lard	Mar. 24, 1915	Mar. 28, 1915
Cygnus; cargo put in prize court; ordered West Hartlepool to discharge.	General	do	Mar. 31, 1915
Indianic; bound from Europe to United States.		do	Mar. 24, 1915
Vesta		do	Mar. 25, 1915
Carmelina	Cotton	Mar. 25, 1915	Mar. 27, 1915
Henrik; part cargo put in prize court; ordered to Leith to discharge.	General	do	Apr. 14, 1915
Unita	Maize	do	Mar. 29, 1915
Thorsdal	do	do	Mar. 27, 1915
Drott	Oil cake	Mar. 26, 1915	Mar. 28, 1915
Karma		do	Do.
Strinda	Cotton	do	Do.
Iris	Cottonseed cake	do	Do.
Largo	Rye	do	Do.
Vincent; bound from Europe to United States.		do	Do.
Ran	Maize	Mar. 27, 1915	Mar. 30, 1915

Name of vessel	Cargo	Date of arrival in British ports	Date of leaving British ports
Terje Viken	General	Mar. 27, 1915	Apr. 29, 1915
Bretagne	Barley	do	Mar. 31, 1915
Boden	Wheat	do	Mar. 30, 1915
Avona	Cottonseed cake	do	Do.
Helmer Morch	Oil cake	do	Do.
Centric	Cotton	Mar. 28, 1915	Do.
Stavn; part cargo put in prize court; sailed Leith to discharge.	General	do	Apr. 1, 1915
Clitra	Maize	do	Apr. 2, 1915
Athens; cleared at Ardrossan		Mar. 29, 1915	Apr. 29, 1915
Danmark; cleared at Ardrossan		do	Do.
Bergensfjord	General, mail, and passengers.	Mar. 30, 1915	Apr. 6, 1915
Sirius; bound from Europe to United States.		do	Mar. 30, 1915
Bia; whole cargo put in prize court; sailed to Manchester to discharge.	Cotton	do	Apr. 7, 1915
Oscar Trapp; bound from Europe to United States.		do	Mar. 31, 1915
Fionia	Barley and general	Mar. 31, 1915	Apr. 6, 1915
Sverre	Barley	do	Apr. 13, 1915
Hilding; part cargo put in prize court; sailed Leith to discharge.	General	do	Apr. 7, 1915
Liguria	Cotton	Apr. 1, 1915	Apr. 4, 1915
Nyland	Oats	do	Apr. 3, 1915
Antwerpen		do	Apr. 2, 1915
Capella	Oil cake	do	Apr. 3, 1915
Ellen	Maize	do	Do.
Atland	Wheat	do	Apr. 2, 1915
Dorte Jensen	Maize	do	Apr. 4, 1915
Nordland	do	Apr. 2, 1915	Do.
Alexandra	General	do	Do.
Uto; whole cargo put in prize court; steamer ordered to Hull to discharge.	Cottonseed cake	do	Apr. 11, 1915
Romsdalfjord; part cargo put in prize court; ordered Sunderland to discharge.	General	Apr. 3, 1915	Apr. 12, 1915
Sverige	Wheat and rye	do	Apr. 4, 1915
Hammershus; cargo put in prize court; ordered to discharge at Glasgow.	Rum, hides	do	Apr. 17, 1915
Ulrick Holm	Grain	do	Apr. 6, 1915
Jessie	Cottonseed cake	do	Apr. 7, 1915
Romsdal		do	Apr. 4, 1915
Avance	Cottonseed cake	do	Apr. 7, 1915
Hans Jensen	Maize	Apr. 4, 1915	Do.
Kronstad		do	Do.
Nedenes	Maize	do	Do.
Steinstad	Maize and rye	do	Apr. 9, 1915
Albis; whole cargo put in prize court; ordered Middlesboro to discharge.	General	Apr. 5, 1915	Apr. 11, 1915
Laly	Cotton and tobacco.	do	Apr. 13, 1915
Maud; part cargo put in prize court; ordered Fleetwood to discharge.	Cotton and flour	do	Apr. 17, 1915
Waldimir Reitz	Oil cake	do	Apr. 7, 1915
Kronsprins Olaf	Cotton and oil cake.	do	Apr. 13, 1915
Else	Maize	do	Apr. 20, 1915
Chumpon	Cotton	Apr. 6, 1915	Apr. 13, 1915
Llama	Oil	do	do
Sorland; part cargo put in prize court; ordered West Hartlepool to discharge.	General	Apr. 7, 1915	Apr. 10, 1915
Muskogee		do	Apr. 14, 1915
Navago	General	do	Apr. 11, 1915
Annum; part cargo put in prize court; ordered Hull to discharge.	do	do	Do.
Albert W. Selmer	Rye	Apr. 8, 1915	Apr. 10, 1915
Siljestad	Maize	do	Do.
Leander		do	Do.
Marie; prize crew to Greenock	Cotton	do	May 3, 1915
Joseph W. Fordney; prize crew to Wallow Bay.		do	Apr. 19, 1915
Imo	Cottonseed cake	Apr. 9, 1915	Apr. 11, 1915
Arkansas	General	do	Apr. 14, 1915
Virginia	Rye	do	Apr. 11, 1915
Lapland; part cargo put in prize court; ordered to Barrow to discharge.	General	do	Apr. 13, 1915
Zamora; part cargo put in prize court; ordered to Barrow to discharge.	Grain and copper	do	Apr. 16, 1915
Selma		Apr. 10, 1915	Apr. 13, 1915
Hellig Olaf	General	Apr. 11, 1915	Apr. 15, 1915
Pacific; part cargo put in prize court; ordered Leith to discharge.	do	do	Apr. 16, 1915
Songelv	Cottonseed cake	do	Apr. 19, 1915
Lejre; part cargo put in prize court; ordered Sharpness to discharge.	Cotton	do	Apr. 20, 1915
Magdalene; ordered Manchester to discharge.	do	Apr. 12, 1915	May 2, 1915
Drot		do	Apr. 14, 1915
Tholma		do	Do.
America; part cargo put in prize court; ordered Sunderland to discharge.	General	do	Apr. 16, 1915
N. F. Holding	Grain	do	Apr. 14, 1915
Georgia; prize crew to Sharpness	Cotton	do	Apr. 20, 1915
Johan Siem	Cottonseed cake	Apr. 13, 1915	Apr. 15, 1915
Hans Broge; cleared at Ardrossan	Rye	do	Apr. 13, 1915
Tordis	Cottonseed cake	do	Apr. 15, 1915
Baltic; ship ordered to Hull to discharge.	Cotton	Apr. 13, 1915	May 13, 1915
Braker	Maize	do	Apr. 18, 1915
Roma	Lubricating oil	do	Apr. 17, 1915
L. H. Carl; cleared at Ardrossan		do	Apr. 13, 1915
Hero	Maize	Apr. 14, 1915	Apr. 16, 1915
Mirjam	Rye	do	Do.
Kong Haakon	Maize	do	Apr. 27, 1915
Dicido; prize crew to Fleetwood	Cotton	do	May 1, 1915
Lars Kruse	Maize	do	Apr. 16, 1915
Talavera	do	do	Apr. 17, 1915
Falka	Cottonseed cake	Apr. 15, 1915	Do.
Carolina; ordered Grimsby to discharge.	Cotton	do	May 2, 1915
Louisiana; ordered Hull to discharge part cargo.	General	Apr. 16, 1915	Apr. 23, 1915
Mexicano; ordered Greenock with prize crew.	do	do	Apr. 18, 1915
Anglia; prize crew to Dundee	Cotton and resin	do	Apr. 24, 1915
Jungshevd		do	Apr. 18, 1915
Orn; cleared at Ardrossan		do	Apr. 16, 1915
Bretagne		Apr. 17, 1915	Apr. 19, 1915
Storaker	Maize	Apr. 18, 1915	Apr. 21, 1915
Torgerd	Cottonseed cake	do	Apr. 20, 1915
Rhodesia; prize crew to Greenock	General	do	Apr. 22, 1915
Olaf Kyrre; ordered Grimsby to discharge cotton.	Cotton	Apr. 19, 1915	May 5, 1915
Heros	Wheat and rye	Apr. 20, 1915	Apr. 22, 1915
Bertha	Maize	Apr. 21, 1915	Apr. 23, 1915
Wilh Colding; cleared at Ardrossan.		do	Apr. 21, 1915
Kristianiafjord	General cargo, mail, and passengers.	do	Apr. 22, 1915
Gothard	Cottonseed cake	do	Apr. 23, 1915
Christian Michelsen	General	do	Apr. 24, 1915
Eidswa	Cottonseed cake	do	Do.
Tomsk		Apr. 22, 1915	Apr. 27, 1915
Regina	Cottonseed cake	do	Apr. 24, 1915
Russ	do	do	Do.
Hogland; bound from Europe to United States.		Apr. 23, 1915	Apr. 23, 1915
Randulf Hansen	Maize	do	Apr. 25, 1915
St. Croix	Cottonseed cake	do	Do.
Ringhorn	Rye	Apr. 24, 1915	Do.
Pioneer	Petroleum	do	Apr. 26, 1915
Carl Henkel; via Newcastle for bunkers.		do	Apr. 24, 1915
Hero; cleared at Ardrossan		do	Do.
Locksley	Wheat	do	Apr. 27, 1915
Kentucky	General	do	Do.
Soborg	Maize and barley	Apr. 25, 1915	Apr. 27, 1915
Artemis; prize crew to Avonmouth.	General	do	Apr. 28, 1915
Grointoft	Maize and barley	do	Apr. 26, 1915
Hans Jensen; via Ardrossan for bunkers.		do	Apr. 25, 1915
Kongsfes	Oil cake	Apr. 26, 1915	Apr. 28, 1915
Brynhild; cleared at Ardrossan		do	Apr. 26, 1915
Dronning Olga; prize crew to Leith.	Wheat, lard, etc	Apr. 27, 1915	Apr. 30, 1915
Kronsprins Frederick	Barley	do	Apr. 29, 1915
Salina	Rye and maize	Apr. 28, 1915	Do.
Ivar; cleared at Ardrossan	Maize	do	Apr. 28, 1915
Nerbotten	Coal and lubricating oil.	do	Apr. 30, 1915
Fredericia; cleared at Ardrossan		Apr. 29, 1915	Apr. 29, 1915
Wico; cleared at North Shields	Ballast	do	Apr. 30, 1915
Carolyn; prize crew to Leith	Cotton and turpentine.	do	May 3, 1915
Varing; via Newcastle for bunkers		Apr. 30, 1915	May 1, 1915
Inland; cleared at Ardrossan		May 1, 1915	Do.
United States	Mails and passengers.	May 2, 1915	May 4, 1915
Jens Bang	Maize	do	Do.
Ludvig Peyron	Wheat	May 4, 1915	May 5, 1915
Minerva; prize crew to Newcastle	General	do	May 7, 1915
Hatholmen	Cottonseed cake	do	May 6, 1915
Bur	Wheat	May 6, 1915	May 8, 1915
Petrolite	Petroleum lubricating oil.	May 7, 1915	May 9, 1915
Augusta; prize crew to Leith	General	do	May 10, 1915
Gerd; prize crew to Leith	do	do	Do.
Thekla	Linseed cake	do	Do.
Orion	Maize	May 8, 1915	Do.
Paris; cleared at Ardrossan	Lubricating oil	do	May 8, 1915
Otterstad	Cottonseed cake	do	May 10, 1915
Sigyn; prize crew to Ipswich	Wheat, rye, and maize.	do	May 14, 1915
Gudrun	Maize	do	May 9, 1915
Oscar II	General cargo, mail, and passengers.	May 9, 1915	May 10, 1915
London; prize crew to Barrow	Lubricating oil	May 10, 1915	May 13, 1915
Maricopa	Gas oil	do	May 19, 1915
Gunborg; prize crew to Dundee	General	do	May 12, 1915
Liv	Rye	May 11, 1915	Do.
Loch Tay	General	do	May 19, 1915
Nordic; prize crew to Manchester	do	May 12, 1915	May 15, 1915
Indianic; prize crew to Leith	do	do	May 17, 1915
Vinland	Maize	May 13, 1915	May 15, 1915
Sven; prize crew to King's Lynn	Rock, phosphate	do	May 24, 1915
Skinfaxe	Maize	May 14, 1915	May 16, 1915
Ooman	do	do	Do.
Prosper III; cleared at Ardrossan		do	May 14, 1915
Dania	General	do	May 19, 1915
John Blumer	Maize	May 15, 1915	May 18, 1915
Gurth	Wheat	do	May 17, 1915

Name of vessel	Cargo	Date of arrival in British ports	Date of leaving British ports
Sommerstad	Maize	May 18, 1915	May 20, 1915
Sydland; prize crew to West Hartlepool.	General	do	May 21, 1915
Uffe; cleared at Ardrossan	Oil cake	May 21, 1915	Do.
Redfaxe	Rye	May 22, 1915	May 25, 1915
Excellence Pleske	Cottonseed cake	May 23, 1915	May 27, 1915
Vulcan; cleared by customs on June 5, but detained by Admiralty.	Oil	do	June 9, 1915
Ester	Cottonseed cake	do	May 25, 1915
Sigurd; cleared at Ardrossan	Oil cake	do	May 24, 1915
Drammensfjord	General	May 25, 1915	May 27, 1915
Glendoon	Cottonseed cake	do	Do.
Pythia; prize crew to Immingham	Cotton and cottonseed cake.	May 27, 1915	May 30, 1915
Sophie	Cottonseed cake	do	May 29, 1925
Aldebaran	Maize	May 28, 1915	May 30, 1915
Kiruna	Wheat	do	Do.
Frederick VIII	General, mail, and passengers.	do	May 29, 1915
Justensen; cleared at Ayr	Maize	do	May 28, 1915
Romanoff	Barley	do	June 30, 1915
Tyr; cleared by customs on 25th	General	May 29, 1915	June 29, 1915
Amphitrite	Rye	do	June 1, 1915
Olaf; cleared at Ardrossan	Cottonseed cake	do	May 29, 1915
Einar Jarl; prize crew to Sunderland.	do	do	June 11, 1915
Llama	Gas oil	do	June 5, 1915
Edderside	Oil cake	May 30, 1915	June 1, 1915
H. V. Fieker	Maize	May 31, 1915	May 31, 1915
Marietta di Giorgio	Gas oil and lubricating oil.	June 1, 1915	June 18, 1915
Lyeglint	Oil cake	do	June 3, 1915
Sydic	Wheat	do	Do.
Vidar	Cottonseed cake	June 2, 1915	June 6, 1915
Leelanaw; cleared for Archangel	Cotton	do	June 26, 1915
Bretagne; Tyne for bunkers	Maize	June 3, 1915	June 5, 1915
Polstad	Cottonseed cake	do	June 6, 1915
Gulfaxe	Maize	do	June 5, 1915
Ros	Rye	June 6, 1915	June 8, 1915
M. J. Mandal; cleared at Ayr	Maize	do	June 6, 1915
Whinlatter; detained	Barley and oil cake	do	
Narvik	Rye	do	June 8, 1915
Beden	Coal	do	June 10, 1915
Nordkyn; prize crew to Leith	Maize	June 8, 1915	June 17, 1915
Polarine; detained	Petroleum and naphtha.	do	
Carl Henckel	Cottonseed cake	June 9, 1915	June 11, 1915
Jemtland; prize crew to Leith	Resin, cotton, cottonseed cake oil.	do	June 12, 1915
Platuria; detained	Oil	June 10, 1915	
California	General	June 11, 1915	June 19, 1915
Djursland	Oil cake	do	June 17, 1915
Cushing	Petroleum	June 12, 1915	June 13, 1915
Absalon	Lubricating oil	June 13, 1915	Do.
Lisa; detained	Resin	do	
Wico	Oil	do	June 14, 1915
Balto	Coal	June 14, 1915	June 15, 1915
Nordhavet; prize crew to Grimsby	Agricultural implements.	do	June 19, 1915
New Sweden	Gas coal	do	June 15, 1915
Oscar Trapp	Pitch pine wood	do	June 14, 1915
Hans Jensen	Maize	do	June 16, 1915
Signe; cleared by customs; taking bunkers; expect sail July 2, 1915.	General	do	June 30, 1915
Dorte Jensen; cleared at Ardrossan.	Maize	June 15, 1915	June 15, 1915
Portland; prize crew to Blyth	Barley, beans, dried fruit, and oil cake.	do	June 18, 1915
Seaconnet; prize crew to Newcastle.	General	June 16, 1915	June 19, 1915

The following is an incomplete list of neutral vessels detained in England during the remainder of June and the months of July and August. Precise information regarding the dates of arrival in England and the dates of sailing of these ships and regarding the seizure of cargoes thereon is not yet available:

Absalon, Lisa, Balto, Nordhavet, New Sweden, Hans Jensen, Dorte, Jensen, Hellig Olav, Muskogee, Bratland, Polarstgernan, Locksley, Atland, Akarea, Janna, Sirius, Frederick VII, Nordstgernan, Texas, Ullsbrand, Falkland, Sir Ernest Cassel, Wico, Portland, Llama, Pioneer, Kristianifjord, Florida, Skogland, Groentoft, Louisiana, Virginia, Gurre, Hans Broge, Stanja, United States, Russ, Ulrik Holm, Glitra, Kentucky, Tuborg, Fram, Urd, Mexicano, Pangan, Varing, Oscar II, Bergensfjord, Arkansas, Conrad Mohr, Noruga, Alf, Hogland, Thyras, Kong Haakon, Talisman, Corona, Drammonsfjord, Petrolite, Brindilla, Lesseps, Platuria, Sydic, Jutlandic, Zammora, Helga, Kronprinzessin Margareta, Stryn, Narvic, Alexander, Barendrecht, Spangereid, Marie, St. Andrew, Artemis, Dania, London, Salonica, Alexander Shukoff, Angla, Johan Siem, Nordhvalen.

EXHIBIT B

(C) THE PRIVATE PROPERTY OF BELLIGERENTS AT SEA

18. It is probable that a proposal will be brought before The Hague Conference to sanction the principle of the immunity of enemies' merchant ships and private property from capture at sea in time of war. His Majesty's Government have given careful consideration to this question, and the arguments on both sides have been fully set out in the various papers which have been at your disposal. They can not disregard the weighty arguments which have been put forward in favor of immunity. Anything which restrains acts of war is in itself a step toward the abolition of all war, and by diminishing the apprehension of the evils which war would cause removes one incentive to expenditure upon armaments. It is also possible to imagine cases in which the interests of Great Britain might benefit by the adoption of this principle of immunity from capture.

19. But, on the other hand, it must be remembered that the principle if carried to its logical conclusion must entail the abolition of the right of commercial blockade. Unless commercial blockade is discontinued there will be constant interference with an enemy's ships and constant disputes as to what constitutes an effective blockade. And when such disputes have once arisen between belligerent powers it is obvious that the one which considers itself aggrieved by the application of commercial blockade to any of its ports would cease to respect the immunity of the merchant ships and private property of its enemy wherever they were to be found. It seems to them, therefore, that it is impossible to separate this question of immunity from capture from that of commercial blockade, and that the question to which His Majesty's Government have to apply themselves is whether they should agree to a proposal which would deprive the British Navy in time of war of the right of interfering with an enemy's merchant ships or property and of the power of commercial blockade.

20. The British Navy is the only offensive weapon which Great Britain has against continental powers. The latter have a double means of offense, they have their navies and they have their powerful armies. During recent years the proportion between the British Army and the great continental armies has come to be such that the British Army operating alone could not be regarded as a means of offense against the mainland of a great continental power. For her ability to bring pressure to bear upon her enemies in war Great Britain has, therefore, to rely on the navy alone. His Majesty's Government can not therefore authorize you to agree to any resolution which would diminish the effective means which the navy has of bringing pressure to bear upon an enemy.

21. You should, however, raise no objection to the discussion of this question of immunity from capture at the conference, nor should you refuse to participate in it, nor need you necessarily take the initiative in opposing a resolution if brought forward. If at some future date the great continental armies were to be diminished and other changes favorable to the diminution of armaments were to take place, the British Government might be able to reconsider the question. If, for instance, nations generally were willing to diminish their armaments, naval and military, to an extent which would materially relieve them from the apprehension of the consequences of war, and by rendering aggression difficult would make war itself improbable; and if it became apparent that such a change could be brought about by an agreement to secure this immunity from capture at sea under all circumstances, and was dependent upon it, the British Government might feel that the risks they would run by adhering to such an agreement and the objections in principle now to be urged against it would be outweighed by the general gain and relief which such a change would bring. But at the present time they are unable to assent to a resolution which might, under existing conditions, so limit the prospective liability of war as to remove some of the considerations which now restrain public opinion from contemplating it, and might, after the outbreak of war, tend to prolong it.

EXHIBIT C

[From the Observer, Sunday, December 2, 1928]

THE KEY OF THE WORLD—ANGLO-AMERICAN RELATIONS—A FRESH START—CRUISERS AND SEA LAW—EUROPE AND THE ISSUE

By J. L. Garvin

There is, happily, every chance for a fresh start in Anglo-American affairs. The last few days in Europe have shown like a searchlight how absolutely vital it is that the opportunity should be used. We dwell upon it for mingled reasons, encouraging as regards the other side of the Atlantic, grave as regards our own. Our chief reason is this—that never since the war and the Paris conference has it been clearer than at this moment that Anglo-American relations are by no means a question by themselves, however momentous in that character. They are the question bound to decide for good or evil the future of the world.

If these two English-speaking peoples, with the same great mother tongue; with an unsurpassable literature in common; with so much of kindred blood between them, no matter how high you put the proportion and value of other racial elements in the United States; with countless private friendships between their citizens in spite of the breadth of the ocean—if these two can not set a lasting example of good understanding, what reasonable hope could exist for agreement between other nations? Without the surety of Anglo-American peace, there can be no surety for peace anywhere. Without a definite and cordial adjustment of the matters in doubt between London and Wash-

ington concerning naval armaments and the future of sea law, no plan of disarmament in Europe can make the slightest real progress toward success. We repeat that it is the decisive question of the world.

I. SIR AUSTEN AND MR. HOUGHTON

Sir Austen Chamberlain has returned to his post and Mr. Houghton to his. The Foreign Secretary has received the ungrudging congratulations of friends and opponents on his restoration to good health and spirits. The American ambassador holds what is now the most important diplomatic office of its kind in any capital. Whether for our own sakes or for his, we can not pretend to be sorry that he missed election to the Senate in the recent campaign. At this juncture in the world's business Providence evidently had another opinion of where the biggest work was to do. Mr. Houghton does not wear his heart upon his sleeve, and it is possible that his reserve has sometimes been misunderstood.

But it is simply true to say that in this country the longer we know him the better we like him; and we venture to think it not improbable that he feels the corresponding idea about us. Mr. Houghton's return to his embassy is one asset.

Sir Austen's fresh opportunity is another—now that the recent Anglo-French idea is forever dead. The Foreign Secretary played a memorable part at Locarno. He has helped signally to make the League of Nations more than ever the rendezvous, not of secondary personages, but of principal statesmen. His Chinese policy, confronted at the beginning with circumstances of extreme difficulty and danger, has been a masterly piece of quiet, firm, and sympathetic handling—one of the ablest and wisest achievements of its kind that ever was set down to the credit of any Foreign Minister. We have said this before, and the advance of events since enables us to repeat it more confidently now. But at the same time the final verdict upon any British statesman at the Foreign Office in our day must depend on whether he makes Anglo-American relations still better than he found them or leaves them worse.

II. REMINISCENCES

He does not need to be reminded of several things in his great father's life. For Joseph Chamberlain, almost as much as for John Bright, friendship with America, was from beginning to end the first principle of foreign policy. In the Venezuelan controversy his private visit to the United States did much to bring about the happy solution of a crisis menacingly opened. Afterwards, when British diplomacy was in danger for a few days of making a false step at the beginning of the Cuban war, the then Colonial Secretary's instant and vigorous sagacity did much to swing our policy into the right line. If his idea of a close accord between America, Britain, and Germany could have been realized, it would have saved the peace of the world. His son, as matters stand now, has both a greater obligation and a bigger chance. How he uses it, one way or the other, will determine judgment upon his career in the sight of history. For this matter of friendship or friction, concord or discord within the English-speaking world, is a historic issue if ever there was one.

III. CLEARING THE AIR

The sequence of events in the last few weeks is instructive. Everyone who knows anything about President Coolidge knows that he means justice and nothing else. The vast majority of the American people mean the same. The vast majority of the British people mean the same. But when the President spoke his tone was like that of an articulate iceberg appearing in southward waters and refrigerating the air for leagues around. For the time it chilled the hearts of those in this country who have been the staunchest friends of America through thick and thin. That we are by no means a perfect nation is what we are accustomed to tell the world. We are more given to self-criticism than any country. Our postwar difficulties are beyond comparison more complex and heavy than those with which the American Government has to deal. In consequence it is often and inevitably harder for America to understand our point of view than for us to understand hers. We are only 20 miles from Europe, not 3,000. Worse. In the air age we are no longer an island at all in the old sense.

But we know that we are in heart and intention an honest and a reasonable people. We did not recognize ourselves in the picture of motive that Mr. Coolidge seemed to suggest. Our irritable patriots replied. Their retorted suggestions about the President and the American policy were like caricature dotted out in pin pricks. It was not a pretty moment.

It was soon redeemed. On both sides the best journals showed admirable temper. Doctor Flexner's proposal for a nonofficial conference of distinguished minds was taken up widely both in this country and America. More will be heard of it. About 10 days ago Lord Lee declared in effect that the whole trouble could be settled by two men over a table. His friendship with Roosevelt and experience at the Washington conference when he was First Lord of the Admiralty give him as good a title as any man alive to be heard on this subject. He was heard. Journals like the New York Times and the New York World responded with frank good will and straight argument. Next came something unexpected. Mr. FRED BRITTEN, who is not only a Member of the House of Representatives but chairman of its Naval Committee, and had hitherto been supposed to be an arch advocate of armaments at any price, cabled direct to Mr. Baldwin the remarkable proposal that the question should be discussed by a joint parliamentary conference meeting in Canada. This hearty move made an excellent moral impression amongst ourselves. But for technical reasons, as touching the President's prerogative, it was neither authorized nor approved by the American Executive. The Prime Minister's position was delicate in these circumstances, but he has done the exact right thing. It was announced in the newspapers yesterday that Mr. Baldwin's courteous reply to Mr. BRITTEN will be communicated in the first instance to the American Secretary of State.

IV. THE REVOLUTION IN SEA POWER

This rapid improvement of feeling and atmosphere is what Sir Austen Chamberlain finds on his return. But right sentiment by itself is no solution in this affair. It must be followed up by right reason. We have to deal with practical problems. They are perfectly manageable and adjustable, but they are the biggest problems of their kind that have ever arisen in the English-speaking world; and nothing but compromise and concession can settle them. There are two very different aspects. The chief question is not that of cruisers. Behind it lies a greater and wider issue—the American conception of the freedom of the seas and of the future of sea law.

As for large cruisers, there is only one way out, and the sooner it is taken the better. Let the American Government build as many as she desires without criticism, jealousy, or worry on our side. Let her build the 15 which her naval experts regard as the minimum necessary for parity in the spirit of the Washington conference. Let her build 30. It does not matter, except in the sight of traditional pedantry obsessed by mechanical calculations and blind to the moral factors. The great thing is to end the friction, and the way to do it is to let America have her head. If there is friendship as a consequence, and there will be, the American cruisers will be a gain to the whole English-speaking world if ever they are needed. If the friction continued and were further aggravated, the results would be none the less disastrous whether America at the outbreak of the most criminal quarrel in the world's annals had a larger or a lesser number of vessels belonging to the type which has caused the whole confused squabble.

However, the mere technical comparison might stand at the start of that quarrel—if we must discuss the maddest of nightmares as though it were a thinkable contingency. The financial and technical resources of the United States are such that they could construct and sustain bigger fleets than any other two nations to-day could equip and support. We repeat it again: The more utterly free the Americans feel to build as they like, the less they will like to build.

But behind the naval question is the political question. The two countries will have to face together an old problem in a new form—the "freedom of the seas." If you can settle that, you settle everything. If you can not settle that, you will settle nothing. The traditional British practice of interception and search as regards neutral vessels in time of war never can be exercised in the future in the case of the United States. Nothing is more absolutely certain than this. American conviction on this point has never changed for a century and a half. What they felt when they were first an independent nation of 4,000,000 they feel now when they are a nation of 120,000,000, far richer head for head than any other people that has existed, and with a vigor quite equal to their numbers.

At the Washington conference we conceded to them once for all naval equality in principle. That naval equality, whatever else happens, will exist in strength and practice. All the implications of that great new fact in world history must be accepted as a matter of course and as consequences following from our own deliberate signature. When we put our hands to the Washington treaty a revolution in all the former conditions of sea power irrevocably occurred.

Friction on the subject of neutral rights at sea was so acute during the first half of the World War that had the Germans been more judicious America might have come into the conflict on the other side. Had America been anything like as strong at sea as she is now the same catastrophe might easily have happened. President Wilson spoke practically for the whole of the United States when, even as an associate of the Allies, he laid down his alternative. Either the freedom of the seas would be accepted or America would build a navy large enough to assert in all circumstances her own freedom. At that time we made the choice we had to make. We preferred that the United States should build. The reason: We might have been paralyzed in face of military power in Europe possessing the freedom of the land. There would have been no equal security for our own rights.

V. "THE FREEDOM OF THE SEAS"

The rise of the American Navy has changed all that. It offers a double guaranty for the maritime interests which are even more vital to us than they ever can be to the United States. What we could not accept under the practical conditions of 10 years ago we can accept now. Why? Because the imports of food and raw material which are the very blood and life of the nation would be secure in all circumstances, so far as sea power is concerned. Because a submarine campaign like

that of 1917 could never be attempted again. Because the maritime intercourse of the whole English-speaking world would be as uninterrupted in war as in peace. Because under the new order, following the revolution in the conditions of sea power to which we gave our consent at the Washington conference, there is no other conceivable guaranty for the most essential part of our security. By comparison with this the question of whether America shall have some superiority in large cruisers to compensate for our required preponderance in smaller cruisers is as dust in the balance.

VI. "THE MEMBERS OF THE LEAGUE"

Unless fundamental agreement on these matters can be reached by that true statesmanship which is common sense raised to a higher power, the League of Nations at Geneva might as well put up its shutters. There is no unity between the chief members of the league. There is no belief that the covenant is a security. In the last few days the French Chamber has been discussing the most elaborate and formidable policy of defense that ever has been undertaken by any country. It is useless to reproach France. Ten of her Departments were trampled by invasion for four years. Towns, villages, and mines were shattered.

The open country was ravaged and laid waste. If anything like this had happened in our own country, they would have been burnt into memory in the same way. Unless we understand French feeling, whether we agree with it or not, there can be no hope for European reconciliation. France perceives that Germany is bound in the end to become stronger than ever, and that nothing on earth can prevent it.

Germany chafes more and more under the continued occupation 10 years after the armistice of a large part of her soil by foreign troops. It is sublime irony that in 1928 territory belonging to one member of the league should still be under the military heel of troops belonging to other members of the league. Once more the relations between France and Italy are inflamed owing to the lenient sentence passed in Paris the other day upon Mondugno, the antifascist assassin of the Italian vice consul, Count Nardini. Signor Mussolini, with his unfailing dramatic touch, has just remarked, "Much has been done, but much remains to be done, considering that in spite of the Kellogg pact, Mr. Kellogg's own country and all others are arming furiously." Nothing could show more vividly why Anglo-American differences must be composed. If the two great English-speaking peoples can set a memorable example of conciliatory settlement there will be every hope for the world's better future. But none otherwise.

Mr. McKELLAR obtained the floor.

Mr. HALE and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield first to the Senator from Maine, and then I will yield to the Senator from Idaho.

Mr. HALE. Mr. President, a short time ago I received the following communication from the White House:

THE WHITE HOUSE,
Washington, January 28, 1929.

Hon. FREDERICK HALE,
United States Senate.

MY DEAR SENATOR HALE: By direction of the President I am sending you copy of wire just received from Secretary Hoover.

Sincerely yours,

EVERETT SANDERS,
Secretary to the President.

The inclosure reads as follows:

HOTEL BELLE ISLE, MIAMI BEACH, FLA.,
January 28, 1929.

The PRESIDENT:

My attention has been called to a statement respecting pending cruiser legislation appearing in this morning's press. I have made no public or private statement upon this question, further than appeared during the campaign. I have stated universally to various callers that it would be improper for me to express any views on current matters of the administration. I regret if this reticence should result in misapprehension. As you know, I warmly support your own views, and you may so inform others if you wish to do so.

HERBERT HOOVER.

Mr. President, at this point I would like to read to the Senate a telegram which I have received, dated January 26, 1929, from Paul V. McNutt, national commander of the American Legion:

INDIANAPOLIS, IND., *January 26, 1929.*

Hon. FREDERICK HALE,
Chairman Naval Affairs Committee,
United States Senate, Washington, D. C.:

The American Legion urges in most emphatic terms the immediate passage of the cruiser bill. The Tenth Annual National Convention of the American Legion at San Antonio enthusiastically and unanimously adopted the following resolution:

"*Resolved,* That the bill known as House bill No. 11526, which authorized the construction of certain naval vessels, among which were 15 light cruisers of 10,000 tons each, be given priority on the list of legislative projects and receive favorable action, and that the President of the United States of America be authorized to begin construction of these vessels at once."

Eight hundred thousand legionnaires demand and expect prompt action on this bill and emphatically urge the retention of the time limit. These ships must be ships of steel and not of paper. They are needed to replace obsolete ships now being used by the Navy and to protect our coast lines, our sea lanes, and our sea-borne commerce. They are the only answer to the failure of the Geneva conference which the rest of the world will understand. With world conditions as they are to-day this Nation must provide an adequate national defense. A more powerful Navy is a necessary part of such a defense and the prompt passage of the cruiser bill is imperative.

PAUL V. MCNUTT,
National Commander the American Legion.

The PRESIDING OFFICER. The telegram will lie upon the table.

Mr. BORAH and Mr. HARRISON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I promised to yield to the Senator from Idaho.

Mr. BORAH. Mr. President, if I will not be guilty of lese majesty, in view of that last telegram, I want to make a suggestion in regard to the naval bill.

Mr. HARRISON. Mr. President, will the Senator permit me to ask a question of the chairman of the committee before he proceeds?

Mr. BORAH. Certainly.

Mr. McKELLAR. I yield to the Senator.

Mr. HARRISON. I did not catch the first communication the chairman of the committee read. Did he receive that to-day?

Mr. HALE. I received it an hour ago. I have been waiting to present it to the Senate until the Senator from Montana finishes his remarks.

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

Mr. BORAH. Mr. President, I want to finish a matter in the nature of business.

Mr. BARKLEY. Mr. President, may I ask the Senator from Maine a question?

The PRESIDING OFFICER. Does the Senator yield to the Senator from Kentucky?

Mr. McKELLAR. I have yielded to the Senator from Idaho.

Mr. BORAH. I want to say just a word and then we can take up these other matters. The Senator from Montana has offered an amendment to my amendment. I understand that under the rules it is my privilege, in perfecting the amendment, to accept that amendment. I do accept it.

Mr. BARKLEY. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield to the Senator from Kentucky.

Mr. BARKLEY. Will the Senator from Maine advise me and the Senate whether the telegram received from Mr. Hoover by the President is to be interpreted as favoring or opposing the time limit?

Mr. HALE. That I leave to the Senator himself, and to the rest of the Senate, to determine.

Mr. BARKLEY. I assume the telegram was occasioned by a publication in the morning papers credited to Congressman BRITTEN, to the effect that Mr. Hoover favored the time limit, and in that respect was opposing the President. The telegram itself is rather indefinite on that subject. Does the Senator know the fact about the matter?

Mr. HALE. I can give the Senator no further information than that contained in the telegram. I thought it was a fair proposition to give the telegram to the country.

Mr. KING. Mr. President, the Senator from Maine has been denouncing propaganda very vigorously, and I would like to ask him whether he is offering the telegram which he has just read, from Mr. Hoover, or rather from the White House, and the other telegram, from Mr. McNutt, as propaganda in favor of this bill, and is trying to use the propaganda, and the threat of Mr. McNutt, upon the Senate to force through the bill?

Mr. HALE. If I were offering propaganda for the bill, I do not think I would pick out that telegram.

Mr. BROOKHART. Mr. President——

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

Mr. McKELLAR. Does the Senator desire to ask a question?

Mr. BROOKHART. Yes.

Mr. McKELLAR. I yield to the Senator.

Mr. BROOKHART. In answer to the question of the Senator from Utah, there is no doubt whatever that in his official

message to Congress the President opposed the time limit, and asked that it be eliminated from the pending bill, but the insurgents from Maine and California will not agree yet to eliminate it. Congressman BRITTEN was reported in an interview in the papers this morning as saying that Hoover favored the time limit, and that very probably brought this telegram stating that he stood with the President. Then, in order to offset the effect of that against the time-limit provision in this bill, the Senator from Maine offered the telegram from McNutt, the commander of the Legion. As a member of the Legion, I want to challenge the statement in that telegram. I want to say that there are not 800,000 legionnaires in this country supporting this bloodthirsty position of backing up the war profiteers who want these ships.

Mr. McKELLAR. Mr. President, propaganda being offered on both sides, the matter would be left about where it was before, so we will proceed.

Mr. BLEASE. Mr. President, I will say to the Senator from Maine, in reference to this telegram from Mr. McNutt, that if these ships may be built at Charleston, S. C., we will see that they are steel.

Mr. HALE. I thank the Senator.

Mr. McKELLAR. Mr. President, I have been greatly interested, as I know every Senator has been who heard it, in the very splendid argument of the Senator from Montana [Mr. WALSH]. He always makes a strong and vigorous argument on any side of the case he thinks is the right side. I think his reasoning was against his conclusions; but, for all that, he stated his case so fairly, so splendidly, that it seems to me that it is a great contribution to this debate.

Mr. President, as I believe everyone in the Senate knows, I am and have always been an ardent advocate of peace. I have voted for every treaty looking toward peace—good, bad, or indifferent—since I have been in the Congress. I was for the Bryan treaties. I have been for all arbitration treaties. I was for the League of Nations without reservations. I was for the World Court, and I even voted for the Kellogg pact, as insignificant a contribution as that was toward the cause of peace.

I believe that war among nations is as indefensible as dueling used to be, or would be now, among individuals. I would be glad to take any step at all to outlaw it. It ought to be outlawed. It is criminal for nations to sacrifice lives and treasure by going to war.

The American people are opposed to war. They do not covet any other nation's property. They do not covet any other nation's territory. They simply want to be permitted peaceably to work out their own destiny in their own way without injury from other nations. They desire to aid other nations, and all they ask for is peaceably to trade with the rest of the world on terms of equality. I join in these sentiments.

But, Mr. President, I believe, and I believe every other sensible, thinking man knows, that under present conditions, without an agreement, without sanctions or penalties, to keep the peace, without an agreement that can be enforced, it will not do for this Nation alone to disarm. As long as other nations continue to build navies it will be necessary for us to continue to build war vessels.

Mr. President, everyone recalls that during the late World War America did everything within her power to reconcile the parties to that strife and to bring about peace. Our then splendid President offered his good offices to bring about a settlement, but the European powers would not listen to him. Finally we were drawn into the fight. We were compelled to go in. We were forced to go in, and after we went in and settled the issues by force, everyone will recall that we asked for and received no reparation; we asked for and received no territory, and all that we asked for was an abiding agreement to keep the peace.

While every other allied nation at the peace table was crying for more territory and more reparations, the United States alone, under the splendid leadership of President Wilson, asked for nothing except a bond to keep the peace.

More than that, Mr. President, several years after the war was over, America called together a disarmament conference, with the best of intentions, with the noblest of purposes, to reduce the naval armaments of the world so that war might be less likely. The result of that conference I will speak of later. Suffice it to say here that just before the war we entered upon a naval program that would have given us the largest Navy in the world. That program was rapidly being completed when the naval conference came on and we went into a conference and agreed to sink the best part of our Navy. In other words, America disarmed apparently to show the rest of the world that we truly meant what we said when we said that we favored peace. Under that agreement, while America disarmed, no other nation did.

Indeed, as soon as the agreement was signed, other nations began to build additional war vessels, and since that time Great Britain has built 15 great cruisers, adding to her already enormous number of 38; Japan has built 15; Italy, 6; and France, 8; while we have authorized only 8. In other words, the practical result of the disarmament conference, so called, was that America disarmed and all the other nations continued to arm. When President Coolidge in 1927 saw that other nations were madly building great war vessels, he called another conference at Geneva. France and Italy flatly refused to take part in the conference; Great Britain and Japan did, but neither would submit to a limitation-of-cruisers argument. Again, Secretary of State Kellogg used the bilateral pact written by Mr. Briand to get the nations of the world just to say that they were going to keep the peace, and they agreed to this, but, while Secretary Kellogg was over in Paris signing this pact, Great Britain and France were combining on a great cruiser-building program, showing they did not construe the Kellogg pact as in any wise interfering with their war plans.

So that, Mr. President, if we exclude our failure to sign the League of Nations treaty and our refusal to sign the Court of International Justice treaty, the United States has taken every opportunity better to secure the peace of the world, while the other great nations of the world are proceeding calmly to build up their navies. We can not blind ourselves to these facts. We must look them squarely in the face and then take such steps as will protect our Nation and protect our foreign trade.

Mr. President, I am an ardent admirer of the British nation, of British history, of British institutions, of British achievements, of British character, of British literature, of British statesmen, of British tenacity of purpose, of British laws, and of British respect for law, of British ability in trade and commerce. When I was a boy I could name every British king and queen in order and the dates of their reigns, and with a little reflection I might still be able to do it, though it is easy to forget. I believe that the very best in our institutions comes from those of our mother country.

The British people are blood of our blood, bone of our bone, sinew of our sinew, and mind of our mind, and I have nothing in the world but the kindest feeling toward them. I think her diplomats are the greatest in the world—far greater than ours, as has been frequently demonstrated. I have always hoped that the two nations would never have a disagreement or difference; and if such a difficulty should arise, I devoutly hope and believe that we should be able to settle it peaceably, without force. It would be unbelievable for these two great English-speaking nations to resort to force against each other.

But, Mr. President, such a feeling on our part for our British kinsmen should not blind us so that we should not protect our Nation's interests and our Nation's commerce. We all realize that our British neighbors are our great commercial rivals, and we must see to it that our own people are given every protection so that our merchants and manufacturers and farmers shall have equal opportunity with British merchants and manufacturers and farmers, and that our own traders shall have equal opportunities with British traders, and that our commerce shall always be safe from interference on the seas in times of peace and war.

Mr. President, the Senator from Idaho, in his able address last Thursday, stated, and very properly stated, that the purpose of the navy is to protect and defend a nation's commerce and to see that it goes unmolested through the sea lanes of the world. In this he is absolutely correct. This is the crux of the entire situation.

Our foreign commerce constitutes a tremendous portion of the lifeblood of our Nation. We can not afford to have it interfered with in peace or in war, so long as we are neutral. We are entitled to the freedom of the seas. We are failing in our obvious duty to the American people if we should not be able to protect this foreign commerce wherever it goes. The argument is frequently heard that Great Britain should have a greater navy than the United States because she has more commerce to protect. I find that this is not true. I find that the difference between the foreign commerce of the two nations is exceedingly small. Take the two records for 1928, and it is found that the entire value of Great Britain's commerce, imports and exports, was $9,972,600,000, while the combined value of the United States commerce, imports and exports, was $9,050,100,000. The value of Germany's foreign commerce is little more than one-half of that sum, and France's is less than one-half of that sum, and Japan's commerce amounts to only $1,977,700,000, and Italy's is less than Japan's. Looking at our Navy, therefore, as purely a defense of our foreign commerce,

we must have a navy which in comparison with other navies is able to protect our commerce wherever it goes. Our commerce is rapidly forging ahead. It is increasing by leaps and bounds, and in a few short years it will far surpass the commerce of every other nation in the world. But it will be claimed that no other nation will dare interfere with it. Why, this is not true. Why, who does not remember that in the year 1914, when the Great War broke out, what happened to our commerce? It was virtually removed from the seas. Cotton—that great export upon which the prosperity of our Nation so much depends—was prohibited from crossing the seas, and the result was that the price went down to almost nothing, bringing ruin and desolation to the cotton growers and to all others who were interested in cotton production. Thus we see how the protection of our trade and commerce vitally affects the welfare and happiness and prosperity of this great Nation.

I want to say that as long as I am a Senator in the Congress I shall never vote in any other way than to uphold and defend that trade and commerce in the sea lanes wherever they may lead. We ought to have a navy adequate to do it. I admit that the Senator from Montana is right in stating that it would be infinitely better to get the other nations to reduce their navies, scaling them down instead of building upward, so that we could get along with less cost and expense. But the value of American commerce being so great, and that commerce being so vital to the welfare and success and happiness of our Nation, there is nothing else for us to do if other nations will not disarm but to arm ourselves so as adequately to protect our commerce. I think it would be criminal for this Nation of ours to disarm our Navy while others are building up theirs.

Mr. President, at this point I ask to have inserted in the RECORD a statement showing the Department of Commerce figures as to the value of our commerce and the commerce of certain other nations.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

Value of imports and exports of specified countries for the year 1927 [1]

[Amounts in thousands of dollars, 000's omitted]

Countries	Value of—	
	Imports	Exports
United States	4,184,700	4,865,400
United Kingdom	5,927,400	4,045,200
Germany	3,360,400	2,428,000
France	2,071,800	2,164,800
Japan	1,033,100	944,600
Italy	1,051,100	805,800

[1] U. S. Bureau of Foreign and Domestic Commerce, Commerce Yearbook 1928, Vol. II, Foreign Countries. Washington, Government Printing Office, 1928, pp. 740-741.

Mr. BROOKHART. Mr. President——

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

Mr. McKELLAR. I yield.

Mr. BROOKHART. Does the Senator concede that after we entered the war we joined with Great Britain and acquiesced in her rules with reference to treating commerce all over the world?

Mr. McKELLAR. The Senator is anticipating me. He will find an answer in just a moment. I intend to discuss that very question.

Mr. President, I was greatly interested in the speech made Thursday by Senator BORAH. I heard some of it and read all of it with care. I heartily approve of his proposed amendments. I want to say the same thing with reference to the amendment of the Senator from Montana [Mr. WALSH], who offered an amendment to one of the amendments of the Senator from Idaho, and which was accepted by the Senator from Idaho. I approve of that amendment also. They should be added to this bill by all means. They show America's desire for peace. They show that even though we feel forced and are forced by other nations to build these cruisers, we would rather not do so. They show our earnest desire to bring about a limitation of armaments, and thus prevent the likelihood of war. The Senator from Idaho has done a great public service in submitting these amendments. They ought to be unanimously adopted. But we should not delay our cruiser-building program because of this effort to secure the freedom of the seas. In that position the Senator from Idaho and the Senator from Montana are, in my opinion, both wrong. The freedom of the seas has been the dream of America, so far as Americans are concerned, during all the ages of our history; but it has been a dream pure and simple. During all of that time Great Britain has been the undoubted, undisputed, uncontrolled, and uncontrollable mistress of the seas.

I call the attention of the Senator from Iowa [Mr. BROOKHART] to the statement I am about to make. After we got in the war she not only reserved but practiced the right, as we all remember, to see what went across the seas from America, and she regulated absolutely what went across in our own ships and in her own or other ships. Indeed, she regulated in every instance just exactly what went across the seas regardless of any position we took. Never so long as I am here am I going to subscribe to the doctrine that any other nation, I care not what nation it is, has the right to say what shall be transported across the seas in American ships.

Mr. BROOKHART. Mr. President, will the Senator yield again?

Mr. McKELLAR. Certainly.

Mr. BROOKHART. The Democratic administration at that time did join with Great Britain in that right and the Senator, I presume, supported it in doing so.

Mr. McKELLAR. Oh, no; the Senator from Tennessee never supported in his life and never will support any such doctrine as that.

Mr. BROOKHART. Does the Senator think if we had had these 15 cruisers at that time, under the circumstances he has described, the price of cotton would have been any higher?

Mr. McKELLAR. No; but if we had had a navy sufficient to protect American commerce, the price of cotton and the prices of other American products would not have been destroyed as it was.

Mr. BROOKHART. But we did not have any merchant ships to carry our stock, so I do not see that a thousand cruisers would have helped any.

Mr. McKELLAR. If we have a navy sufficient to protect our commerce, we can protect it wherever it goes, and that is the only way we can protect it.

Mr. BROOKHART. I presume the Senator would concede the right of Great Britain to use her merchant ships as she pleased.

Mr. McKELLAR. Not when she makes them warships as she did and does. But I will ask the Senator to desist for just a moment.

Mr. HEFLIN. Mr. President, the Senator from Tennessee is correct in his position and I am in sympathy with him, and I think the Senator will agree with me that if we had had a Navy large enough and had challenged those powers they would have withdrawn their orders for the regulation of our commerce.

Mr. McKELLAR. That is undoubtedly true, and I will prove it in just a moment if Senators will be patient. Even when we were her ally during the war she reserved and practiced the right, as we all remember, to see what went across in our own ships, and, indeed, to regulate what went over. We recall also that one of President Wilson's 14 points was the freedom of the seas. He thus stated it and it was his second point:

> Absolute freedom of navigation upon seas outside territorial waters alike in peace and in war except as the seas may be crossed in whole or in part by international action for the enforcement of international covenants.

Franklin and Jefferson, Madison and many of our statesmen in our early history had announced the same doctrine. Other great American thinkers had stated it and restated it. President Wilson had to give it up, because Great Britain, flushed with victory, the fleet of her greatest sea rival—Germany—sunk, she knew that she would not have to give it up. I have always believed that President Wilson, knowing that we were unable at that time to enforce the freedom of the seas because our Navy that we were then building was not completed, gave it up, but in his mind was the knowledge that we were fast building a navy equal to that of Great Britain, and that later on we could come to an agreement for the freedom of the seas because Great Britain would know that then, if it were necessary, we could enforce freedom of the seas with our Navy.

In my judgment that demand, if it shall be disputed, can only be enforced by having a sufficient Navy to secure its enforcement. So this great ideal of President Wilson's failed of fulfillment.

Mr. President, I next come to the Limitation of Armament Conference. If freedom of the seas can be reached by diplomatic means, then by all means let us try to reach it in that way. But the greatest blow that ever came to our just claim for freedom of the seas was delivered by the Limitation of

Armament Conference of Washington of 1922. The greatest naval victory that Great Britain ever won—and she has won many of them on the sea—was won by her in the great naval battle on land in Washington in 1922. By that agreement the Harding administration, without firing a gun, without making a protest, without securing a benefit, indeed, singing pæans of praise to those who brought it about, agreed to sink and did sink the best part of our Navy.

The Senator from New Jersey [Mr. EDGE] in interrupting the Senator from Idaho [Mr. BORAH] on Thursday called the disarmament conference "the only successful disarmament conference the world has ever known, the one in Washington in 1920." He meant the one in 1922.

Mr. President, if that was a successful disarmament conference so far as the United States was concerned, then God save us from ever having to suffer another such successful disarmament conference. The only nation——

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I will yield in just a moment. The only nation to disarm as a result of that conference was the United States. I am reliably informed that after the conference neither Great Britain nor any other foreign nation ever sank a ship, but we sank 9 battleships—3 of them of 32,000 tons each, 6 of them of 43,200 tons each, and 4 battle cruisers of 43,500 tons each. Some of those vessels were nearly completed, two of them finished, and others just begun; but when completed—and they would have been completed long before this time—we would have had a Navy equal to that of any other nation. We had already expended on those ships some $200,000,000. All we got out of the disarmament conference was the privilege of sinking them and putting our Navy in a place of great inferiority, certainly to Great Britain's Navy and possibly to Japan's.

To my mind, Mr. President, the disarmament conference of Washington of 1922 was not only a willful waste of the people's money, ill-conceived and wholly unjustifiable, but a surrender of American rights. In my judgment, it was a frightful blunder. Who does not remember the propaganda under which the conference was held? Every newspaper and every magazine in the land was praising the conference and claiming that it would bring about an equality of our Navy with that of Great Britain. Every propagandist in the land was singing the praises of the 5-5-3 ratio. There never was a proposal of a 5-5-3 ratio. It was a delusion and a snare.

What was the result of that conference? Perhaps some have forgotten. When the Washington treaty was finally signed it provided that Great Britain should have 22 first-class battleships; the United States should have 18 first-class battleships; and Japan and the other nations a less number. It provided that America should have 500,650 tons and England 558,950 tons. Where is the 5-5-3 ratio in those figures? It is not there. The proposal to that effect, I repeat, was a delusion and a snare. America was to have 500,650 tons as against 580,450 tons for Great Britain!

But, Mr. President, that was only a portion of the disparity. When our experts looked up the question they found that 13 of our 18 battleships could not throw projectiles as far by several miles as could substantially all of Great Britain's battleships. I wonder why those experts did not know that fact before the agreement was entered into? But, at all events, it was overlooked.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. McKELLAR. I promised to yield first to the Senator from Iowa, and then I will yield to the Senator from Montana.

Mr. BROOKHART. I do not desire now to interrupt the Senator.

Mr. McKELLAR. Very well. I yield to the Senator from Montana.

Mr. WALSH of Montana. I should like to ask the Senator how it came about that our naval experts did not tell the negotiators that they were getting filched?

Mr. McKELLAR. I never understood that, I will say to the Senator. I have heard no explanation of it. I was not on the "inside" at the time.

Mr. WALSH of Montana. Are we to understand that the negotiators were fully advised about the matter by the naval experts and that they disregarded the advice?

Mr. McKELLAR. I can not say that.

Mr. WALSH of Montana. Or that the naval advisers to the American delegates were not smart?

Mr. McKELLAR. I started out by saying that I regarded the British as the greatest diplomats and traders in the world, and I think our commissioners were somewhat overreached, to be perfectly frank about it, though I am not criticizing them.

Mr. WALSH of Montana. Apparently——

Mr. McKELLAR. If the Senator will wait a moment, I will read him the indubitable proof of the fact that our representatives were overreached; and I am not criticizing them.

Mr. BROOKHART. Mr. President——

Mr. McKELLAR. I now yield to the Senator from Iowa.

Mr. BROOKHART. I remember a discussion of this same question on the Senate floor at the time, and the Democratic side, led by the late Senator Underwood, fully approved that conference and approved the sinking of the ships to which the Senator from Tennessee has referred.

Mr. McKELLAR. That may be true; I do not remember what our leader did; but I can say that I did not vote for it.

Mr. BROOKHART. I do not remember the Senator from Tennessee opposing it in any way.

Mr. McKELLAR. The Senator will find that the RECORD shows I did not vote for it.

Mr. BROOKHART. The Senator did not?

Mr. McKELLAR. No. I continue, Mr. President. I said the question of gun elevation was overlooked and evidently it was——

Mr. NEELY. Mr. President——

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

Mr. McKELLAR. I yield.

Mr. NEELY. Apropos of the remark that the Senator from Iowa has just made, it should be remembered that the Republican Party has persistently claimed all of the credit for the Washingon Conference on Limitation of Armament.

Mr. McKELLAR. Always; and, by the way, it was referred to by the distinguished Senator from New Jersey [Mr. EDGE] as being the greatest disarmament conference that ever took place in the history of the world. In a moment, when I get through answering questions, I want to call the attention of the Senator from West Virginia and the attention of other Senators to just what that conference did.

Mr. OVERMAN. Mr. President——

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

Mr. McKELLAR. I yield.

Mr. OVERMAN. My recollection is that the Democratic side refused to follow its then leader, Senator Underwood.

Mr. McKELLAR. I have not looked at the vote in a long time; I only know that I did not vote for it.

Mr. OVERMAN. I did not, and I do not think a majority of the Democratic side did.

Mr. McKELLAR. I am quite sure the Senator from North Carolina did not. On this, as on other questions, Senators reserved the right to vote as they individually thought was right and proper.

Mr. NEELY. Mr. President——

Mr. McKELLAR. I yield to the Senator from West Virginia.

Mr. NEELY. Let me prove my assertion of a moment ago to the effect that the Washington Disarmament Conference has been claimed by our Republican friends as one of their party's exclusive assets.

Mr. McKELLAR. I will be very happy to have the Senator do so.

Mr. NEELY. I am about to read from that great masterpiece of incredible modern fiction entitled "Republican Campaign Textbook for 1924."

Mr. BROOKHART. The Senator will remember I was not very much in line with the Republican platform at that time.

Mr. McKELLAR. My recollection is that at that time the Senator from Iowa was gallivanting around with us somewhat. [Laughter.]

Mr. NEELY. But during the last campaign the Senator from Iowa thoroughly rehabilitated himself as a courageous champion of every article of faith in the entire Republican creed.

Mr. McKELLAR. I do not want to attack in any way the Senator from Iowa——

Mr. NEELY. Neither do I. And I beg the Senator from Tennessee not to construe my charge of Republican regularity as an attack upon the character or statesmanship of the Senator from Iowa.

Mr. McKELLAR. He is a fine man and is making a splendid Senator.

Mr. NEELY. In that statement I fully concur.

Mr. BROOKHART. In this instance I have to defend both the Republican President and the President elect against the standpatters who are now insurging against their own leader and their leader elect.

Mr. McKELLAR. I commend the Senator from Iowa.

Mr. NEELY. May I now read from page 360 of the 1924 Republican campaign textbook, under the captivating title "National Defense"?—

NATIONAL DEFENSE

Among the treaties formulated at the Washington Conference on Limitation of Armaments held in November, 1921, was the 5-power naval treaty, entered into by the United States of America, the British Empire, Japan, France, and Italy. This treaty, which binds the five signatory powers to a limitation of their naval armament and the observance of a naval holiday, has been described as "the greatest peace document ever drawn."

That is the penetrating political rhapsody, the substance of which the Senator from New Jersey has recently twice repeated upon the floor of the Senate.

Mr. McKELLAR. Yes.

Mr. NEELY. He stated that the Washington conference is the only successful disarmament conference in history. I am informed that as a result of this conference the United States has lost her superiority as a naval power and the taxpayers have lost more than $175,000,000 worth of ships.

Mr. McKELLAR. At a cost of about $200,000,000. In my remarks I have reached that very point, and I want to show to the Senate just what that naval agreement did provide. Keep in mind, Senators, that the propagandists said that it was to put our Navy on an equality with that of Great Britain—that it provided for a 5-5-3 ratio. Now, I wish to show the Senate what the real result was.

Mr. EDGE. Mr. President, will the Senator yield to me at that point?

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

Mr. McKELLAR. I yield.

Mr. EDGE. I just heard the Senator from New Jersey being discussed——

Mr. McKELLAR. Yes; the Senator from New Jersey was quoted by both the Senator from West Virginia and myself as having stated the other afternoon that the naval disarmament conference of Washington in 1922, by which Great Britain won the greatest naval victory in her history, was the greatest peace treaty ever signed.

Mr. EDGE. I think my actual language, as I recall it, without referring to the RECORD, was that the Washington Disarmament Conference was the only successful effort at disarmament the world had ever known, or words to that effect.

Mr. McKELLAR. That was about it, and that was strong enough.

Mr. EDGE. I still contend that it was the only successful disarmament conference ever held; in fact, so far as I can recall, it is the only disarmament conference that ever has been held, and, even though the United States did show wonderful generosity—there is no question about that at all; I agree entirely with both Senators as to that—nevertheless the United States led the way for possible disarmament among the nations of the world. I repeat that this was the only successful disarmament conference ever held, even though the United States was the loser so far as dollars and cents were concerned.

Mr. McKELLAR. Of course, I disagree with the Senator about that conference being a successful one. All it did could have been done by the United States or any other nation at any time without a conference. The United States does not need a conference to sink its own war vessels, and that is all in the world that it got from the Washington conference. No other nation sank a war vessel. Great Britain sank some a year or so before the conference took place, but no other nation sank a war vessel as a result of the conference. How can a conference be a successful one that merely provides that one nation shall sink its war vessels?

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. McKELLAR. I yield.

Mr. WALSH of Montana. I am very much interested in the statement made by the Senator to the effect that Great Britain scrapped nothing.

Mr. McKELLAR. She scrapped about a year before this conference some obsolete vessels, as she had a perfect right to do, but they were scrapped of her own motion and not because of the conference.

Mr. WALSH of Montana. Information given by the Senator, however, is that after the Washington treaty Great Britain scrapped nothing. I have before me the record of the proceedings, from which I read as follows:

It is further proposed that Great Britain—

(1) Shall stop further construction of the four new *Hoods*, the new capital ships not laid down but upon which money has been spent.

Mr. McKELLAR. They were on paper, not laid down. She did not sink any new ships built or building.

Mr. WALSH of Montana (reading):

These four ships, if completed, would have tonnage displacement of 172,000 tons.

(2) Shall, in addition, scrap her predreadnaughts, second-line battleships, and first-line battleships up to, but not including, the *King George V* class.

These, with certain predreadnaughts which it is understood have already been scrapped, would amount to 19 capital ships and a tonnage reduction of 411,375 tons.

The total tonnage of ships thus to be scrapped by Great Britain (including the tonnage of the four *Hoods*, if completed) would be 583,375 tons.

Now, let me inquire of the Senator, upon what authority does he make the statement that neither Japan nor Great Britain scrapped anything? I am startled at that statement.

Mr. McKELLAR. I have made the statement frequently before, and I have heard it made by other Senators on the floor of the Senate. The chairman of the committee [Mr. HALE] made it the other day in his opening statement. The Senator will find it there. I take it that he must have been properly informed. I quote Senator HALE:

In addition to this, we agreed to scrap a number of older battleships, as did two of the other four nations party to the treaty—Great Britain and Japan—which battleships could have been kept up only at great expense, and most of them in all probability would have been scrapped had there been no conference on limitation of naval armament.

Great Britain scrapped some old ships, and scrapped some ships that were built on paper; but she did not scrap any actual ship by virtue of this agreement. I further quote from Mr. HALE:

The other parties to the conference agreed to scrap no ships that were in process of construction, with the exception of Japan, and nearly all of her building program was on paper.

Mr. WALSH of Montana. I have the treaty here. Can it be that they violated the treaty?

Mr. McKELLAR. I do not know. I can not advise the Senator about that. All that Great Britain did was to scrap $2,600,000 in alleged new construction, which I am reliably informed consisted only of plans and blue prints. She sank some obsolete battleships, but it seems there is some dispute whether she sank them before or after the conference. In either case it is immaterial, as they were obsolete, were of no value, and had to be sunk anyway.

Mr. NEELY. Mr. President——

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

Mr. McKELLAR. I yield.

Mr. NEELY. As measured by the standard of success adopted by the Republican campaign textbook and the Senator from New Jersey [Mr. EDGE], how many more disarmament conferences like the last, would it be necessary for us to hold in order to dispose of all of our naval defense?

Mr. McKELLAR. I do not believe we could stand more than two more before our entire Navy would be obliterated.

Now let us see what was done.

Mind you, we had 18 ships and Great Britain was to have 22. Is 22 for Great Britain, 18 for us, and a lesser number for Japan a 5-5-3 arrangement? If so, I have learned ordinary mathematics in vain.

The very agreement is an absolute contradiction and denial of the 5-5-3 ratio. But, at all events, after we had entered into the agreement it was found by our naval experts that 13 of our ships could not shoot as far as the British ships; and thereupon the Congress was appealed to, as we all remember, to pass a resolution authorizing the guns on these ships to be elevated so that they could shoot as far as the British guns; and what was the result? Great Britain took up the matter with the President, and cited this clause in the agreement:

No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defense against air and submarine attack * * *. No alterations in side armor, in caliber, number of general type of mounting of main armament shall be permitted, except—

The exception being something that does not refer to this. So when it was proposed to elevate our guns so that they could shoot as far as British guns, a protest came from Great Britain that it was not within the limitation-of-armaments agreement. A pretty 5-5-3 agreement that!

TERMS UNFAVORABLE TO THE UNITED STATES

Remember, Mr. President, that this agreement was heralded as a 5-5-3 agreement. I never saw a greater propaganda on any

subject. It was heralded as an agreement that would make the Navies of Great Britain and America equal. I want to point out some of the features of this agreement.

First. America was the only nation to sink any ships.

Second. Great Britain was given a ratio of 22 to 18, instead of 5 and 5.

Third. Great Britain was given a greater tonnage.

Fourth. America sank six ships of a tonnage of 43,200 tons each, leaving her with no ships of that class; and yet Great Britain was permitted to hold the *Hood*, with 41,200 tons, and to build two capital ships of 35,000 tons each; and the largest ship that we had was a ship of 32,500 tons, as I remember.

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

Mr. McKELLAR. I yield.

Mr. WHEELER. The Senator, if I understood him correctly, made the statement that we sank six ships, and that we were not permitted to have any of that class of ships left.

Mr. McKELLAR. No, Mr. President; we sank 15 ships—9 battleships and 6 battle cruisers.

Mr. WHEELER. What class of ships were they?

Mr. McKELLAR. Six of the 9 battleships were 43,200 tons. Our largest ship now is a 32,500-ton ship; and yet this so-called 5-5-3 agreement allowed Great Britain to have one, the *Hood*, of 41,200 tons, and two others that she was allowed to build of 35,000 tons each.

Mr. WHEELER. How many ships had Great Britain built between the time the armistice was signed and the time of the treaty?

Mr. McKELLAR. She had not built any, as I recall.

Mr. WHEELER. How many had the United States Government built in that time?

Mr. McKELLAR. I had those figures here just a moment ago. I shall have to state them from recollection. She was building 9 battleships, 2 of them absolutely complete, and 6 battle cruisers.

Mr. WHEELER. She had already built some during that period of time. Some had already been finished, had they not?

Mr. McKELLAR. Two were finished; but they were sunk, and they were the most powerful battleships ever built. Our great vessels that were finished or substantially finished went to the bottom of the sea under "the only successful disarmament conference the world has ever known," according to Mr. EDGE.

Mr. WHEELER. What assurance has the Senator that if we build these 15 cruisers a Republican administration will not sink the 15 cruisers after we get them built?

Mr. McKELLAR. Well, we will just have to take that risk. I do not believe the Republican Party will ever undertake to have a recurrence of the horrible fiasco known as the disarmament agreement of 1922. It was such a shocking sacrifice of American ships and American treasure and American security that no party will desire to repeat it.

Mr. WHEELER. Mr. President, will the Senator yield for one more question?

Mr. McKELLAR. Yes.

Mr. WHEELER. How much in money was it that we sank?

Mr. McKELLAR. It was just about $200,000,000. It is fair to the Navy Department to say that they estimate the sum at $175,000,000.

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

Mr. McKELLAR. Yes.

Mr. NEELY. I have the exact figures which were, at my request, recently supplied me by the Secretary of the Navy.

Mr. McKELLAR. It is estimated sometimes at $175,000,000, and the Senator from Montana this afternoon estimated it at $300,000,000. No absolutely accurate figures can be given; but it is about $200,000,000.

Mr. BROOKHART. Mr. President, I remember that the late Senator Underwood said we saved more money than we sank by sinking those ships.

Mr. McKELLAR. Senator Underwood was a perfectly splendid man and a great statesman, and I have every respect and honor and esteem for him; he was my friend and I was his; but I did not agree with him on the sinking of these ships. It will be remembered that he was one of the commissioners appointed by President Harding.

I now yield to the Senator from West Virginia.

Mr. NEELY. Mr. President, I quote from a letter which I received from the Secretary of the Navy a few days ago:

> The cost in dollars and cents of the new ships scrapped, including cost of cancellation of contracts, and deducting the amount realized for the sale of new ships, was $175,439,275.68.

Mr. McKELLAR. That is less what they got from the sales; the real amount was about $200,000,000.

Mr. NEELY. And may I also read the Secretary's statement as to the ships that were scrapped by the United States and Great Britain as the result of the Washington conference?

Mr. McKELLAR. I shall be glad if the Senator will do so.

Mr. NEELY. I again quote from the letter of the Secretary of the Navy:

> The number and tonnage of ships which were scrapped by the treaty—the Washington conference—were as follows:
>
> United States: Capital ships built, 19.
>
> Tonnage, 289,850.
>
> Including *North Dakota* and *Delaware*, scrapped on completion in 1923 of *West Virginia* and *Colorado*.
>
> Capital ships building or appropriated for, 13.
>
> Tonnage, 552,800.
>
> Includes battle cruisers *Lexington* and *Saratoga*, afterwards completed as aircraft carriers.
>
> Capital ships built and destroyed by Great Britain: Number, 22.
>
> Tonnage, 447,450.
>
> British Empire scrapped 4 additional ships, 91,500 tons, on completion of *Nelson* and *Rodney* in 1927.
>
> Capital ships building or appropriated for, 4.
>
> Tonnage, 172,000.
>
> These ships were not laid down but contract had been let for their construction.

Mr. McKELLAR. Why, of course. My impression is that much of this tonnage was sunk or scrapped before the conference; but, in any event, it was all obsolete and useless.

Now, Mr. President, I want to finish in just one moment.

Mr. HEFLIN. Mr. President——

Mr. McKELLAR. Just let me finish the explanation of what the United States got in this celebrated agreement and what Great Britain got in the agreement.

It will be remembered that Great Britain was permitted to hold the *Hood*, with 41,200 tons, and to build two new capital ships of 35,000 tons each. I stop there long enough to say that while Great Britain was given the right to build two additional ships of 35,000 tons, larger than any ships that America had, the two of 43,000 tons that had just been completed by America, the names of which were read here a moment ago, were sunk. Now, Mr. President, it turns out that the *Hood*, of 41,200 tons, and the two additional ships that Great Britain has built of 35,000 tons each, are larger than any ship in the American fleet. And yet some of us still talk about a 5-5-3 agreement and our Navy being on an equality with Great Britain.

Fifth. America was prohibited from building any cruisers of more than 10,000 tons; but in this agreement, desirable as it might be for America to build a cruiser of more than 10,000 tons, she is not given the right to do so until 1936. This was to the disadvantage of America, because by reason of her coaling stations Great Britain does not need cruisers larger than that size; while America, because of her dearth of coaling stations, does need cruisers of that size, or larger.

Sixth. Merchant vessels were excluded from the terms of the agreement; and, of course, everybody knows that large numbers of Great Britain's merchant vessels are built so as to be converted into war vessels at a moment's notice in time of war.

Seventh. Great Britain having all of the coaling stations necessary and all the fortified stations necessary throughout the world, the United States and Japan agreed not to build or maintain any naval bases other than those that they now have.

Eighth. Part 2 provides for the utter destruction of the United States vessels. The other parties to the agreement took no chances.

The United States got nothing and Great Britain got continued mastery of the seas until 1936. That was the result of that agreement, the 5-5-3 agreement—a peace agreement! Why, it is absurdly ridiculous!

Ninth. This agreement is to remain in force until December 31, 1936, so that the United States by that conference sank her own superiority until 1936. In other words, by this agreement we guaranteed Great Britain's superiority in battleships and aircraft carriers until 1936; and even after that time, unless we give two years' notice in advance, the treaty goes on indefinitely. We must give the notice; and, of course, what will happen when that comes about, if we do give the notice, is that we will be charged with not being in favor of peace because we desire to protect our rights on the seas by annulling this totally one-sided agreement..

For all these agreements, what did the United States receive? Not a single benefit. I ask anybody here to name a benefit which the United States received. No one replies. I want to say to the Senator from New Jersey, who seems to think that that treaty constituted a great step in the cause of disarmament and peace, that it reminds me of the agreement that sometimes the colored man down South formerly was often facetiously complaining about in his dealings with the white man:

> Nought's a nought and figger's a figger,
> All for the white man and none for the nigger.

In this agreement the United States stands in the shoes of the colored man.

Mr. President, in calling attention to the grave injustice done the United States in that conference I want to say that I do not wish to criticize our commission. I have no doubt that those gentlemen were imbued with the highest and most idealistic principles and purposes.

Mr. BRUCE. Mr. President, if I catch the idea of the Senator from Tennessee, our people are just a little too generous and confiding.

Mr. McKELLAR. Just a little too generous and confiding. They no doubt thought that if the United States would deal gently and liberally with the situation that confronted her, if the United States, with practically unlimited resources to build a navy greater than that of any other country, was willing to sink her own ships and place herself in a position of inferiority, that no doubt other nations would do likewise and thus bring about a reasonable disarmament. In this our commissioners made a mistake, for instead of the good example of the United States bringing about a like spirit in other nations, it has brought about an exactly opposite spirit. Indeed, as soon as this agreement was made, and knowing that it extended until 1936, and knowing that the United States would carry out that agreement to the letter until 1936, every other nation began to build naval armaments as never before, and to-day we find ourselves in a position of vast naval inferiority to that of our principal commercial rival and possibly to that of Japan.

Mr. President, I want to say that instead of the disarmament conference of 1922 being a benefit to our country or to the peace of the world, it simply resulted in the sinking of $200,000,000 worth of American war vessels, and in continuing Great Britain's mastery of the seas. That treaty will expire by limitation in 1936, and it ought not be renewed.

I believe in disarmament, but not in disarmament by which one nation disarms and the other nations are permitted to keep their arms, by which one nation sinks her ships, and the other nations keep their ships of war.

The disarmament treaty destroyed the American Navy. It guaranteed Great Britain's mastery of the seas until after 1936. It has prevented any suggestion of an agreement for the freedom of the seas. But for that agreement by this time America would have had a navy equal to that of Great Britain without much additional cost, and it would have been easy enough to have obtained from Great Britain an agreement for the freedom of the seas whereby the ships of any nation would be unmolested in times of peace and unmolested in times of war as long as they did not carry contraband or seek to go into a port blockaded in fact.

Mr. President, we should build these cruisers. We should proceed to construct such a navy as will defend our commerce, not for the purpose of going to war, but for protecting our commerce against the world. It is too valuable, as the above figures show, to be destroyed in a moment. If it was seriously interfered with for a time, it would cause the greatest distress in our own land. We ought not to jeopardize it; we ought not to fail to take any step that will insure its protection.

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

Mr. McKELLAR. I yield.

Mr. NORRIS. I am interested in what the Senator has said about the peace conference. Without trying to get into any controversy with the Senator over its results, whether good or bad, I would like to ask him whether the charge has been made that any nation has violated the terms of that agreement.

Mr. McKELLAR. No. I think the only protest was from the British Government, that we might be violating the agreement when we sought to elevate the guns on the 13 ships, so that they could shoot as far as those of the British ships.

Mr. NORRIS. If all the nations engaged in the peace conference have kept the faith, while it might have been a bad conference and all that, if we agree that they have all kept the faith, there could be no charge made, then, against any nation, of bad faith.

Mr. McKELLAR. No charge of bad faith is being made now by me. I am not making any charge of bad faith. I am simply pointing that the United States received absolutely no benefit from the pact.

Mr. WHEELER. Mr. President, the Senator from Indiana, according to the RECORD of a few days ago, I think made the statement that Great Britain had, in effect.

Mr. NORRIS. The statement of the Senator from Indiana was to the effect that in spirit Great Britain had violated the agreement by building cruisers.

Mr. McKELLAR. The agreement did not apply to cruisers. It applied only to battleships, aircraft carriers, a limitation of 10,000-ton cruisers, and certain other things which need not be enumerated.

Mr. NORRIS. While I am not excusing Great Britain at all for building cruisers—I think she is to blame for most of the agitation for a big navy here—at the same time I think we have to admit that Breat Britain has not violated the peace conference agreement.

Mr. McKELLAR. I am not making any charge that Great Britain has violated the agreement. Why should she? She got everything she desired in that conference. She should consider it the ark of the covenant of her mastery of the sea until 1936, or as long as she can hold it in effect.

Mr. NORRIS. There was no limitation as to cruisers. There should have been, I think.

Mr. McKELLAR. I think so, too. The Senator is right about that; but there was not.

Mr. HEFLIN and Mr. NEELY addressed the Chair.

Mr. McKELLAR. I yield first to the Senator from Alabama because I have not yielded to him, and he has been seeking to interrupt me for some time.

Mr. HEFLIN. Mr. President, the Senator was making such a splendid speech that I did not want to break the continuity of his thought. Does the Senator understand that the battleships which were scrapped were sunk outright, that they were not dismantled, and the machinery, the boilers, the armor plate, and other materials were not taken off and saved to be utilized for some purpose?

Mr. McKELLAR. I do not know just what was done, and can not advise the Senator. But I want to say that if he will look at Part II of this treaty of 1922 he will find that Great Britain took no chances about it. You never read more perfect plans of ship destruction. All of those things have gone where they can never be used again in warfare.

Mr. HEFLIN. The Senator and I were in the same class; I did not vote for the measure, either, which required the destruction of the ships.

Mr. McKELLAR. I congratulate the Senator. I now yield to the Senator from West Virginia.

Mr. NEELY. Mr. President, I think that we should felicitate ourselves upon the fact that if there should be another disarmament conference, during the next four years, we could rely upon Mr. Hoover's superior knowledge of British genius, statesmanship, and diplomacy acquired during 20 years residence in the British Empire to protect the United States against a repetition of such disasterous consequences as we suffered in 1921, as pointed out by the able Senator from Tennessee.

Mr. McKELLAR. I thank the Senator.

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

Mr. McKELLAR. I yield.

Mr. WHEELER. The Senator does know, however, that Mr. Hoover is in favor of taking out the time limit; does he not?

Mr. McKELLAR. No; I can not say that I do. I heard the telegram read, but my hearing is not as good as my eyesight, when it comes to getting my mind on a thing, and I did not understand just what was meant by that telegram.

Mr. NORRIS rose.

Mr. McKELLAR. Has the Senator from Nebraska examined the telegram?

Mr. NORRIS. Yes; but I was going to suggest to the Senator, when he was comparing his eyesight and his hearing, that the Senator's only knowledge came from hearing the telegram read, but I take it his eyesight is so much better that he looks clear down to Florida, to the rendezvous of the President elect, and he can decide from his eyesight and refute what comes to his hearing.

Mr. McKELLAR. I will look at the telegram in the RECORD in the morning. I am not taking any part on the political side of the question. I am looking at this thing solely from the viewpoint of an American citizen without regard to partisanship who wants to see his country's business unmolested, who wants to see his country's commerce and trade go wherever it may, and have the protection of America behind it.

Mr. WHEELER. Mr. President, the Senator heard my colleague relate this afternoon what Great Britain had done. What would the Senator have done under the circumstances that existed during the last war?

Mr. McKELLAR. That is a last year's bird's nest. There is no use bothering about what happened during the war. That is past; my opinion, if I had one, would be of no practical value; and I have no opinion on that subject.

Mr. WHEELER. The claim is that we want to build these ships so as to stop that sort of thing.

Mr. McKELLAR. I would never on earth agree that Great Britain or any other nation should regulate American commerce as it was regulated before we entered the war or while we were in the war. It is a source of pain and regret and mortification and humiliation to me to think of what was done during that period.

Mr. NORRIS. Mr. President, I agree with the Senator that what Great Britain did during the war is a source of pain and mortification. I think the Senator is right about that. But if we had had the big navy which the Senator favors, and those things had happened, would the Senator then have had us go to war with Great Britain?

Mr. McKELLAR. Oh, no, Mr. President. I was opposed to our going to war; it was against my every feeling to vote for the resolution declaring us in a state of war, which I did finally vote for. Going to war is a very serious thing and it certainly ought not to be decided upon a hypothetical question.

Mr. NORRIS. If we had had the navy the Senator wants us to have sent along with the merchant ships, to protect the merchant ships from attack, it would have been their duty then to have protected them, and would not that have been the first step in war?

Mr. McKELLAR. My position is that whenever the United States has a navy equal in size or strength to any other navy, no other nation is going to interfere with our trade and commerce, and we all know it.

Mr. NORRIS. The Senator is proceeding on the theory, then, that because we are big enough and strong enough, we will dominate everybody else.

Mr. McKELLAR. Oh, no; we do not want to dominate anybody else; but we do not want other nations to dominate us. As I said in the beginning, I would a thousandfold rather we could have other nations by agreement reduce their navies, "scale them down," as Senator WALSH states it, and put them on terms of equality, but it does not look as if that will be done, and I want to point out the reasons why we have not been able to get them to do it.

Mr. NORRIS. If our Navy is to be used to protect us in the circumstances to which attention has been called, when such a thing happens as happened to our ships during the World War on the part of Great Britain, then it seems to me it follows that if we are going to have any good out of it, we would immediately use it.

Mr. McKELLAR. If we have as large a navy as that of any other nation, there is no nation that is going to attack us or interfere with our trade and commerce, because we will have not only the Navy but we will have the materials of war to back up what our Navy stands for.

Mr. NORRIS. Did not Germany interfere with our commerce in the same way England did, when she had no navy? It was all blockaded. Yet she did that.

Mr. McKELLAR. She had the second largest navy in the world at that time; but the cases are not parallel.

Mr. HEFLIN. Mr. President, I understand the position of the Senator from Tennessee to be simply this, that we want to protect our commerce upon the high seas, and we want to assert and defend the doctrine of the freedom of the seas so far as we are concerned.

Mr. McKELLAR. Absolutely. If we can get that by peaceable means, of course we should get it in that way; but in any event we must protect our commerce.

Mr. HEFLIN. When our commerce leaves an American port, we want it to get to its destination, and we do not propose that anybody shall interfere with our trade. That is my position.

Mr. McKELLAR. Other nations can not interfere with it with my consent, or by my vote.

Mr. BRUCE. Mr. President, I remind the Senator from Tennessee that in the very infancy of our Government, in 1812, we did not hesitate to go to war with Great Britain because of her interference with our commerce.

Mr. McKELLAR. Indeed we did not. It has been a principle of American statesmanship from the beginning of the Government down, and even before the present Government was created, to maintain that position. Mr. Franklin stood for it in the beginning and so did Jefferson and so did Madison.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. WALSH of Massachusetts. Does the Senator recall any claim that the disarmament conference of 1921 and 1922 was violated by Great Britain or any other country?

Mr. McKELLAR. Not at all. There was no necessity for Great Britain violating it. It operates substantially only against the United States. We are the only nation that would have any right to complain. It is a unilateral agreement, I may say to the Senator.

Mr. WALSH of Massachusetts. It seems to me that the Senator's speech should be directed more toward the denunciation of those public officials in America who agreed to and brought about the disarmament conference, rather than toward Great Britain and the other countries who have not violated any of the terms of the disarmament conference.

Mr. McKELLAR. I am such a kindly soul that I do not believe in denouncing anybody. I am not denouncing other nations, and I am not denouncing the people of our own Nation or our own commissioners. I am trying to lay before the Senate and before the country the facts just as they are, unadorned, about the present naval situation and to show the true meaning of the disarmament conference. I hope the Senator, nor anyone else, will think I am denouncing anyone—nation or individual.

Mr. WALSH of Massachusetts. But the Senator thinks the disarmament conference resulted in a great loss and great disadvantage to the United States; and I agree with him.

Mr. McKELLAR. Yes; an overwhelming and uncalled-for loss.

Mr. WALSH of Massachusetts. If it is true that there was an overwhelming loss to the United States, somebody agreed in the disarmament conference to the loss which has resulted so disastrously to the United States, as the Senator has pointed out.

Mr. McKELLAR. Perhaps the Senator was not here when I made the statement about our commissioners. I think our commissioners in the conference were animated by the highest motives and by the highest purposes. They just felt, "Here is the United States that ought to set the example for disarmament. We are willing to make any sort of agreement that these people will make and to show them the way." Therefore they erred on the right side, perhaps, and I am not in a mood to challenge them or to criticize them for it. I know they were men animated by the highest motives and purposes, and I do not want to challenge their motives or purposes. The result of what they did was to set a splendid example to the world; but the other nations, instead of following it, have continued to build as never before. The conference did not help the cause of naval disarmament and cost the United States a splendid navy and vast sums of money.

Mr. WALSH of Massachusetts. In other words, in the light of the hour and time in which they acted, they acted undoubtedly for the best interests of the country and the world.

Mr. McKELLAR. As they thought was best. They made a great mistake as it all turned out.

Mr. WALSH of Massachusetts. And later events have given us a different picture. Of course the Senator believes in a disarmament conference.

Mr. McKELLAR. Why of course, provided our representatives are not the only ones to accept the disarmament agreement.

Mr. WALSH of Massachusetts. As I understand the Senator—and I am in accord with him if I understand him correctly—the two essential things in the world to-day in order to make a great motion toward world peace are, first, the adoption of the principle of freedom of the seas as suggested by the Senator from Idaho [Mr. BORAH] and, second, disarmament.

Mr. McKELLAR. I think we ought to use every endeavor to accomplish both ends. I am strongly in favor of the amendment of the Senator from Idaho as amended by the amendment of the Senator from Montana. It should become a part of international law. But I do not agree with the Senator that the way proposed by the Senators from Idaho and Montana is the best way to go about it. I think we ought to include their amendments in this measure and then let the rest of the world know that we are going to protect our commerce by building the ships.

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

Mr. McKELLAR. I yield.

Mr. BRUCE. As I understand the Senator, if there is another disarmament he wants some other country than ours to be the dupe?

Mr. McKELLAR. I would not say that, but if there is another disarmament conference I want some other nations in addition to the United States to disarm. I want us all to disarm together.

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

Mr. McKELLAR. With pleasure.

Mr. SWANSON. The Senator was discussing the disarmament conference. The conference agreed, as the Senator has properly stated, to limit battleships and aircraft. But they left cruisers and ships under 10,000 tons without limit.

Mr. McKELLAR. They put a limit on the cruisers, but not enough of a limit.

Mr. SWANSON. They put on a limit of 8-inch guns and 10,000 tons. I want the Senate to understand that when that was agreed to the cruiser tonnage of Great Britain in comparison to the United States was 5 for the United States and 6.6 for Great Britain. At the time of the Washington conference that was the relative cruiser strength, which did not make much of a real disparity between the two nations. We had a superiority at that time in destroyers which would

have made the real disparity less. We built no cruisers from 1908 until 1923—15 years. Great Britain has increased her cruiser strength and gotten rid of all her old class of cruisers so that now the ratio is about 13 for Great Britain as against 5 for us. Great Britain started the competition to try to prevent equality of the two navies. We started no competition. We waited 15 years, and we have stood still during that time, but Great Britain has gone on until now the ratio is 13 to 5. The only question is whether we want to have that ratio continue.

Mr. WHEELER. Mr. President, may I ask the Senator what he includes when he says 13 to 5?

Mr. SWANSON. If we were to take the relative strength of all guns in power to shoot guns of relative merit, together with other items—that is, what would be the basis if they were on the firing line, and if we had to determine as to our ability or inability to win a battle—we would have to include speed, amount of gun power, size of guns, and so forth. On that basis their ratio would be 13 to 5 at present.

Mr. WHEELER. Our cruisers are much larger than those of Great Britain.

Mr. SWANSON. Some are and some are not.

Mr. WHEELER. The vast majority of them are larger.

Mr. SWANSON. Oh, no.

Mr. McKELLAR. Oh, no; not by any means.

The Senator from Idaho produces as an argument excerpts from President Coolidge's address about war debts. This argument as applied here is fallacious, Mr. President. It is true that we owe some sixteen or seventeen billions of dollars, but we are rapidly paying this debt off and, if it were necessary to be paid even more rapidly, we could do it. At all events, we are better prepared than any other nation to take the necessary steps to protect our commerce.

Again, the Senator from Idaho argues as to economy. This argument also is fallacious. These 16 ships will cost $274,000,000. Why, Mr. President, we are refunding more than this amount to big corporations each year on taxes that were paid many years ago. We are refunding these sums largely to corporations that during the war were called "war profiteers." If we would use the money that we are paying back to war profiteers, we could build a larger navy than any other nation in the world.

Mr. President, Great Britain is not going to war with us unless she knows that she can defeat us. And she does not know that and can not know that. But what she can do is, little by little, take our commerce away by putting us at a disadvantage in world trade, and she must not be permitted to do this. The United States must trade with the world on terms of perfect equality with every other nation.

Mr. President, that freedom of the seas that was yearned for by Franklin, Jefferson, and Wilson can be obtained in but one way, and that is by building our Navy equal to the navy of Great Britain. We need a navy for the protection of our commerce just as much as she does. The sooner she realizes this the better it will be for all concerned.

But the Senator from Idaho says, as I understand him, that he is in favor of this bill but he wants to postpone the actual building of these vessels until we have a chance to get an agreement from Great Britain for freedom of the seas. I think that is what President Cleveland once called an "iridescent dream," unless we take some means to accomplish it.

Mr. BRUCE. It was Senator Ingalls who said that.

Mr. McKELLAR. I think then that President Cleveland quoted it. Senator Ingalls was probably the author. I yield to the superior literary genius of my distinguished friend from Maryland.

Why, Mr. President, Great Britain has but recently had this chance, but turned it down. President Coolidge, in a splendid spirit of peace, going the very limit to obtain a limitation of armaments, called a meeting at Geneva; and Great Britain came to the meeting and then absolutely refused to limit the number of cruisers she was going to build. She disregarded the agreement at Versailles. She disregarded President Wilson's desire for an agreement after the war. She secured an agreement in 1922 virtually sinking the greater part of our Navy. She refused to yield on the cruiser question at Geneva. She refused to permit us to raise the elevation of our guns. She reserved the right to overhaul our vessels. During the war she even passed upon what goods should be shipped upon our ships when we were allies. She entered into an agreement with France while Secretary Kellogg was over there to get his peace treaty signed, providing for a building program of cruisers with France; and when she signed the Kellogg treaty she specifically excepted her every interest on land and sea.

Under these circumstances, Mr. President, I am convinced that it is our duty to build these cruisers. I am convinced that there should be no delay about it. I am convinced that we will never get an agreement for freedom of the seas, protecting the rights of neutrals during the time of war, until we build a navy equal to that of any other country in the world. We do not want a larger one. We do not want to take command of the seas, but we do want to protect our commerce on the seas wherever it mya be.

Mr. President, I am opposed to the amendment deferring the building of these ships. It ought not to be agreed to. It ought to be rejected straight out. We have been too generous in that regard. The sinking of our own ships did not bring about a better spirit. The conference at Geneva shows that as long as Great Britain thinks she can control the naval situation she is going to control the seas. She is not going to cut down the number of her ships. She has to-day 53 cruisers with a total of 397,140 tons. The United States, including all that she is building, has only 18 with 155,000 tons. Japan has 27 with 213,955 tons. They will agree to no limitation until the United States shows that she means business and is going to build a cruiser force adequate to protect her trade and commerce unless the other nations agree to limit themselves in cruiser building. After our experience in the Limitation of Armaments Conference and after our experience in the Geneva conference, after the splendid efforts of President Coolidge in seeking a limitation as to cruisers, and even after the amendment proposed by the Senator from Idaho, we have no chance to bring about the results desired except to proceed to build these ships, and others, if need be. But any time limitation on these ships, or reducing the numbers now to be built, should be voted down, and I believe will be.

Mr. SHEPPARD. Mr. President, may I ask the Senator from Tennessee a question?

Mr. McKELLAR. I have finished what I desired to say, but I am very happy to yield to the Senator from Texas.

Mr. SHEPPARD. Did the protest from Great Britain prevent us from raising the elevation of the guns on our battleships?

Mr. McKELLAR. It did for a great while, but I think probably she informed us later that she had no objection to our elevating the guns.

Mr. SHEPPARD. Perhaps the Senator from Maine can enlighten us on that point.

Mr. McKELLAR. I transfer the question to the Senator from Maine.

Mr. HALE. Will the Senator kindly repeat his question?

Mr. SHEPPARD. Did the protest from Great Britain prevent us from raising the elevation of the guns on our battleships?

Mr. HALE. It did for a time, but later the matter was adjusted, and we are now elevating the guns on our battleships.

Mr. SHEPPARD. I send to the desk a telegram, which I ask to have read, and two letters which I should like to have printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, the clerk will read the telegram.

The Chief Clerk read as follows:

SAN ANTONIO, TEX., *January 8, 1929.*

CITIZENS CONFERENCE ON CRUISERS,
Washington Hotel, Washington, D. C.:

Please record me as opposed to the 15-cruiser building program.

Rabbi EPHRIAM FRISCH.

Mr. SHEPPARD. I now ask that the letters accompanying the telegram may be printed in the RECORD.

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

The letters referred to are as follows:

YOUNG WOMEN'S CHRISTIAN ASSOCIATION,
Dallas, Tex., December 28, 1928.

Secretary WASHINGTON COUNCIL ON INTERNATIONAL RELATIONS,
1901 F. Street NW., Washington, D. C.

DEAR SIR: I am sorry I can not accept your invitation to dinner on Tuesday, January 8. The distance is prohibitive. However, I am in deep sympathy with the objects of the meeting and all efforts to make war a thing of the past. My good wishes to you, and may every step taken be in the direction of world peace.

Very sincerely yours,

FLORENCE A. LYNES,
Executive Secretary Young Women's Christian Association,
Dallas, Tex.

SAN ANTONIO, TEX., *January 3, 1929.*

CITIZENS CONFERENCE ON CRUISERS,
Washington, D. C.

DEAR FRIENDS AND FELLOW WORKERS: I am very thankful indeed for the invitation to attend the conference which is to meet on the 8th. I

would be more than glad to be there on that occasion, as I regard it a work of the greatest importance; but as it is impossible for me to attend, I will express my mind on the matter in a letter. My most earnest prayer is that such work may be done at the conference and such influence be exerted by it, followed by other such efforts, that Congress will not pass the cruiser bill.

The time has fully come when the United States should demonstrate the Christian spirit to the world; but if the Senate were to pass the cruiser bill it would demonstrate to the world just the opposite to the Christian spirit and would misrepresent the wishes of the great body of churchgoing people, "the staff and stay," the stability and continuity of our country, and would engender suspicion, fear, and loss of confidence, and finally enmity toward the United States and toward each other among the nations, and renew a spirit of competition in all military preparations. This is the way wars are made.

If the United States, a Christian nation, for an offense, whether real or imaginary, were to call in operation the use of the cruisers to remedy the offense, however military the other nations may be, they could not fail seeing paradox. It really seems to me that just now is a crisis in our country's history.

OUR GOVERNMENT IS BEING WEIGHED IN THE BALANCE—THE SCALES ARE ADJUSTED

ON THIS SIDE IS—	ON THE OTHER SIDE—
Kellogg's general peace pact, by which the other nations have expressed their readiness to follow the lead of the United States in ratifying it.	The cruiser bill for preparedness for war if any nation infringe upon our rights, with all the crime destruction, loss of life and property and misery that follow in its train.
The train of blessings which are bound to follow.	
Now, which is the most worthy?	The Senate must decide.

Very sincerely yours,

SETH G. HASTINGS.

Mr. WALSH of Montana. Mr. President, I did not like the expression of the Senator from Tennessee that Great Britain "gave her permission." The Senator does not really mean that we ever sought her permission?

Mr. McKELLAR. No; I do not think we ever sought it, but I will ask the Senator from Maine. Did we seek to have Great Britain withdraw her protest against elevating our guns on our own ships? Did the executive department do that?

Mr. HALE. I do not know how it was done.

Mr. McKELLAR. The Senator does not know whether it was done on our initiative or on the initiative of Great Britain? I wish to say to the Senator that I have no desire to criticize Great Britain. I merely desire to say that I do not know how it was done.

Mr. WALSH of Montana. I thought the language of the Senator was rather a criticism of our Government, because in that regard it is subject to criticism if it asked permission of Great Britain.

Mr. McKELLAR. I do not know whether permission was asked or not; I would like to know.

Mr. HALE. It was to all intents and purposes withdrawn; there is no question about that.

Mr. McKELLAR. At any rate, it has been withdrawn; and I am very happy to know that Great Britain has withdrawn the protest, and that we are now elevating the guns on our ships.

Mr. President, let us pass this bill, including the Borah and Walsh amendments, and no others. Let us protect American trade and commerce on the high seas. We have taken the lead heretofore in seeking naval disarmament. Let us leave such proposals to other nations for a time, unless they show a willingness to agree to the principle of freedom of the seas.

Mr. President, the Senator from Montana [Mr. WALSH] a while ago read a statement from a book showing that Great Britain actually sank some ships. I think, however, they were all obsolete. I had made the statement that no other nation had sunk any ships. If I am mistaken about it, I want to withdraw that statement from my speech, because I have no desire whatsoever to make even an unintentional misstatement of facts.

Mr. WHEELER. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. Yes.

Mr. WHEELER. The Senator made the statement a moment ago, as I understood him, that we had only 18 cruisers.

Mr. McKELLAR. Oh, no; that is the number as it happens that we have built or building in addition to those we already had.

Mr. HALE. The Senator is referring to 22 old cruisers which we have in the yards of the country and which we still keep on the active list, but which are not effective compared with modern cruisers.

Mr. McKELLAR. As I understand, we have 18 built or building.

Mr. HALE. We have 18 modern cruisers in addition to the 22 old cruisers.

Mr. WHEELER. What I want to get at is this: The Senator from Maine stated the other day that the 15 cruisers provided for in the pending bill were for replacement. The Senator from Tennessee, as I understand, says that we now have 18 cruisers. I want to ask him whether these 15 cruisers are for replacement, to take the place of 15 of the 18.

Mr. McKELLAR. It is absolutely immaterial to the Senator from Tennessee whether they are for replacement or are to be built as additions to the Navy. I want a sufficient cruiser force to protect American trade and American commerce; and it is immaterial to me whether they are for replacement purposes or are general additions to our Navy.

Mr. WHEELER. I know it is immaterial to the Senator from Tennessee as to whether they are for replacement or not, but, for the benefit of the other Members of the Senate, we ought to get the facts straight, and know whether or not we have 18 cruisers or have 42 cruisers or how many we have.

Mr. McKELLAR. I will look up the figures and enlighten the Senator to-morrow, if I can, and if he desires.

Mr. HALE. The Senator was referring, of course, to modern cruisers.

Mr. NYE. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Do We Need 15 More Cruisers Now?" written by Frederick J. Libby.

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

DO WE NEED 15 MORE CRUISERS NOW?

By Frederick J. Libby

The discussion that has begun on the 16-ship bill now before the Senate had led to many questions, addressed to us both in public meetings and by mail. It will be of use to all of our readers to know the answers to these questions.

1. What is the present cruiser situation?

Answer. The United States has 10 big, modern cruisers and is building 8 more. Great Britain has 13 and is building 6 more for its own use and 2 for Australia. In addition Great Britain has 33 little old cruisers, started during the war, and 25 of them completed during the war, which will all be obsolete soon. Their average size is 4,100 tons; their total tonnage is 137,000 tons. Add to them nine others, some of which are a little older still, and totaling 48,000 tons, and you have before you the nub of this whole controversy. Great Britain has 42 little old cruisers, totaling 185,000 tons, most of which will be obsolete within five years. Our old cruisers, totaling 179,000 tons, are already obsolete.

Our "big Navy" group tried at Geneva and is trying now to get us to give them as many tons of big new cruisers as the British have in little old ones, thus gaining superiority when the British cruisers wear out, unless the British build in competition with us. They don't say anything about the fact that we built a great fleet of destroyers during the war while Britain was building cruisers, and that we now have 100 more destroyers than England; nor do they refer to the fact that we have 124 submarines built and building, of various sizes but totaling 93,000 tons, to Great Britain's 74 submarines built and building, totaling 67,000 tons.

2. Is not our Navy far behind the British Navy, and does it not need these cruisers in order that it may attain parity?

Answer. No; our Navy, as the President explained in his message to Congress two years ago, is the equal of the British Navy now. We are a little behind the British Navy in cruisers and ahead in submarines and destroyers. So we are substantially equal on the whole.

The President's words were: "Only one navy in the world approaches ours and none surpasses it." Since these words were uttered, Great Britain has laid the keels of three cruisers and we have laid the keels of seven.

3. Do we need cruisers for bargaining purposes?

Answer. It is true that the Washington naval conference succeeded when we had superiority to bargain with, and that the Geneva naval conference failed when we didn't have superiority; but we believe that the Geneva conference, under the direction of admirals, was bound to fail. It is evident that public opinion in Great Britain has undergone a marked change as the result of that failure of the disarmament conference, and that the next conference is practically sure to succeed because the people of both countries want agreement and no competition in navies. Our wealth is big stick enough, and it will be wiser for us to let the British liberals wield that on their own "big navy" group.

4. Aren't the "pacifists" trying to "scrap" the Navy?

Answer. No; the pacifists are asking for general reduction of armaments of all nations, and the Kellogg pact makes a starting point for limiting the increase in military establishments throughout the world. Our antiwar groups are exceedingly reasonable in their consideration for the militarists, for they are not going to protest a naval appropriation bill of $350,000,0000 that the President has recommended, which includes appropriations for eight cruisers being built at the present time.

But when the insatiable shipbuilders ask for 15 more cruisers we are drawing the line there.

5. Is the 16-ship bill a "replacement program?"

Answer. Not in a real sense. Our Navy men for two years have proclaimed that "America has only 10 cruisers to Britain's 40." Suddenly we are told, "We have 40 cruisers and 22 of them need replacing." A pamphlet published by the naval intelligence section of the Navy Department shows that we have 10 modern cruisers built and 8 building; and in addition to these, 22 old cruisers are listed which the Navy propagandists had been omitting, which are now resurrected in order that they may be "replaced." Their ages are given. One of them is the *Olympia*, Dewey's flagship at Manila, 34 years old. The *Constitution* and the *Bon Homme Richard* have not been listed, but they would make 24 to be "replaced."

When Congressman BRITTEN last winter proposed this explanation of why we are asked to build all these cruisers, the late Congressman Butler, who was on the House Naval Affairs Committee practically throughout his term of 32 years, replied:

"I didn't know these cruisers were to be replacements. Nothing has been said about their being replacements, so far as I know." (Baltimore Sun, February 18, 1928.)

The same Congressman Butler on January 4, 1927, commented thus on Congressman FRENCH's reference to these old relics:

"Tell me where you got that list, please; that list of ships. You have Dewey's Fleet at Manila, have you not? You know very well, my friend, that those ships are not worth any more than my old automobile that I traded for 35 gallons of gasoline."

In other words, the "replacement" cry has been raised to conceal the fact that actually we are increasing our Navy.

6. But will not the cruiser bill pass before the country can be heard from?

Answer. No; it has to overcome serious opposition in the Senate. The effort will be made to rush the bill through, because its sponsors fear the rising tide of protest which they know is surely coming. This protest should be prompt and vigorous. If it is, the cruiser bill will fail of passage or at least be seriously modified.

TRANSFER OF THE RETURNS OFFICE

Mr. NYE. I move to reconsider the vote whereby the Senate ordered to a third reading, read the third time, and passed the bill (H. R. 9570) to provide for the transfer of the returns office from the Interior Department to the General Accounting Office, and for other purposes, in order that I may propose an amendment to the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Mr. NYE. Mr. President, in explanation of my request let me say at this time that the bill has been before the Senate committee for nearly a year.

The wording of the proposed act is: "This act shall take effect July 1, 1928," whereas the date should be "1929."

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota to reconsider the vote where the bill named by him was read the third time and passed.

The motion was agreed to.

Mr. NYE. I now move to amend the bill, on page 2, line 14, after the words "July 1" and the comma, by striking out the figures "1928" and inserting the figures "1929."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Dakota.

The amendment was agreed to.

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

U. S. COAST GUARD CUTTER "BEAR"

Mr. JONES. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 14452) to authorize the Secretary of the Treasury to donate to the city of Oakland, Calif., the U. S. Coast Guard cutter *Bear*. I invite the attention of the junior Senator from California to the bill.

Mr. SHORTRIDGE. Mr. President, I ask unanimous consent for the present consideration of the bill.

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

Mr. HALE. Mr. President, I understand the consideration of the bill will not lead to any debate?

Mr. McKELLAR. What is the object of the bill?

Mr. NORRIS. It is to give to the city of Oakland, Calif., one of these cruisers. [Laughter.]

Mr. McKELLAR. I have no objection.

Mr. TRAMMELL. May I ask a question? Is the donation or gift recommended by the Navy Department?

Mr. SHORTRIDGE. The bill is recommended by the department.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to donate, without expense to the United States, to the city of Oakland, Calif, the historic Coast Guard cutter *Bear*, for museum and exhibition purposes without charge for admission.

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

REFERENCE OF PRESIDENT'S MESSAGE

The PRESIDING OFFICER. The Chair, under an order heretofore agreed to, refers to the appropriate committee the message this day transmitted to the Senate by the President of the United States.

RECESS

Mr. JONES. In pursuance to the unanimous-consent agreement heretofore entered into, I move that the Senate now take a recess until 12 o'clock to-morrow.

The motion was agreed to; and the Senate (at 5 o'clock and 20 minutes p. m.) took a recess until to-morrow, Tuesday, January 29, 1929, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 28, 1929

FOREIGN SERVICE

To be secretary in the Diplomatic Service

Alan S. Rogers, of California, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

UNITED STATES ATTORNEYS

Charles R. Hollingsworth, of Utah, to be United States attorney, district of Utah, vice Charles M. Morris, resigned.

John Paul, of Virginia, to be United States attorney, western district of Virginia, vice Joseph C. Shaffer, resigned.

PROMOTIONS IN THE NAVY

MARINE CORPS

Lieut. Col. Thomas Holcomb to be a colonel in the Marine Corps from the 22d day of December, 1928.

First Lieut. George W. Shearer to be a captain in the Marine Corps from the 8th day of July, 1928.

First Lieut. Eli Savage to be a captain in the Marine Corps from the 16th day of July, 1928.

First Lieut. Edward B. Moore to be a captain in the Marine Corps from the 30th day of August, 1928.

First Lieut. Harold W. Whitney to be a captain in the Marine Corps from the 15th day of October, 1928.

First Lieut. Claude A. Phillips to be a captain in the Marine Corps from the 27th day of October, 1928.

First Lieut. John W. Beckett to be a captain in the Marine Corps from the 2d day of November, 1928.

First Lieut. John Halla to be a captain in the Marine Corps from the 3d day of November, 1928.

First Lieut. Kenneth A. Inman to be a captain in the Marine Corps from the 16th day of November, 1928.

First Lieut. Lester N. Medaris to be a captain in the Marine Corps from the 27th day of November, 1928.

Second Lieut. Robert S. A. Gladden to be a first lieutenant in the Marine Corps from the 7th day of September, 1927.

Second Lieut. Arthur T. Mason to be a first lieutenant in the Marine Corps from the 16th day of November, 1928.

The following-named noncommissioned officers of the Marine Corps to be second lieutenants in the Marine Corps for a probationary period of two years from the 30th day of January, 1929:

Corpl. Saville T. Clark.	Corpl. Hewin O. Hammond.
Corpl. Joseph J. Tavern.	Corpl. Harvey E. Dahlgren.
Corpl. Joe A. Smoak.	Corpl. William I. Phipps.
Corpl. John V. Rosewaine.	

Quartermaster Clerk Burns D. Goodwin to be a chief quartermaster clerk in the Marine Corps, to rank with, but after, second lieutenant, from the 17th day of June, 1928.

POSTMASTERS

CALIFORNIA

Charles T. Myers to be postmaster at El Monte, Calif., in place of C. C. Maltman, deceased.

Michael G. Callaghan to be postmaster at Livermore, Calif., in place of M. G. Callaghan. Incumbent's commission expires February 7, 1929.

Leo H. Vishoot to be postmaster at Sunnyvale, Calif., in place of C. R. Fuller. Incumbent's commission expired December 17, 1928.

FLORIDA

Robert E. Coates to be postmaster at Fort Meade, Fla., in place of R. E. Coates. Incumbent's commission expired January 8, 1928.

GEORGIA

L'Bertie Rushing to be postmaster at Glennville, Ga., in place of L'Bertie Rushing. Incumbent's commission expires February 7, 1929.

Henry C. Hays to be postmaster at Mansfield, Ga., in place of H. C. Hays. Incumbent's commission expired December 18, 1928.

HAWAII

Margaret K. Bruss to be postmaster at Lahaina, Hawaii, in place of A. V. Lloyd, removed.

ILLINOIS

John L. Lewandowski to be postmaster at Calumet City, Ill., in place of J. L. Lewandowski. Incumbent's commission expires February 6, 1929.

Paul R. Beebe to be postmaster at Forreston, Ill., in place of P. R. Beebee. Incumbent's commission expires February 6, 1929.

Jesse E. Meharry to be postmaster at Tolono, Ill., in place of J. E. Meharry. Incumbent's commission expires February 6, 1929.

INDIANA

Paul F. Walton to be postmaster at Oaklandon, Ind. Office became presidential July 1, 1928.

IOWA

Matt Olson to be postmaster at Clear Lake, Iowa, in place of Matt Olson. Incumbent's commission expires February 6, 1929.

Finley E. Dutton to be postmaster at Manchester, Iowa, in place of F. E. Dutton. Incumbent's commission expires February 6, 1929.

Guy C. Wilhelm to be postmaster at Modale, Iowa, in place of G. C. Wilhelm. Incumbent's commission expires February 6, 1929.

Ren S. Bosley to be postmaster at Newhall, Iowa, in place of R. S. Bosley. Incumbent's commission expires February 6, 1929.

KANSAS

Fred H. Bartlett to be postmaster at Baxter Springs, Kans., in place of F. H. Bartlett. Incumbent's commission expired January 6, 1929.

Verney C. Wallar to be postmaster at Caney, Kans., in place of V. C. Wallar. Incumbent's commission expired January 6, 1929.

Lela Martin to be postmaster at Cherokee, Kans., in place of Lela Martin. Incumbent's commission expired January 27, 1929.

Fred J. Smith to be postmaster at Galena, Kans., in place of F. J. Smith. Incumbent's commission expired January 6, 1929.

Florence E. Cox to be postmaster at Herndon, Kans., in place of G. D. Corns, resigned.

Sheridan Crumrine to be postmaster at Longton, Kans., in place of Sheridan Crumrine. Incumbent's commission expired January 27, 1929.

Robert F. Tyler to be postmaster at Moline, Kans., in place of R. F. Tyler. Incumbent's commission expired January 6, 1929.

Robert H. Montgomery to be postmaster at Oswego, Kans., in place of R. H. Montgomery. Incumbent's commission expired January 6, 1929.

Garrette L. Matlock to be postmaster at Treece, Kans., in place of W. R. Robb. Incumbent's commission expired June 4, 1928.

KENTUCKY

Elmer Castle to be postmaster at Himlerville, Ky., in place of Martin Himler, resigned.

MASSACHUSETTS

Charles R. Gow to be postmaster at Boston, Mass., in place of R. M. Baker. Incumbent's commission expired April 28, 1928.

Charles G. Starratt to be postmaster at Ocean Bluff, Mass., in place of C. G. Starratt. Incumbent's commission expires February 6, 1929.

MISSOURI

Irene Shibley to be postmaster at Gorin, Mo., in place of Irene Shibley. Incumbent's commission expired December 17, 1928.

Lonnie W. Hoover to be postmaster at Princeton, Mo., in place of L. W. Hoover. Incumbent's commission expires February 6, 1929.

Ralph W. Day to be postmaster at Summersville, Mo., in place of R. W. Day. Incumbent's commission expires February 6, 1929.

NEBRASKA

Mamie Mathews to be postmaster at Marsland, Nebr., in place of Mamie Mathews. Incumbent's commission expired December 11, 1928.

Helen L. Pavlik to be postmaster at Weston, Nebr., in place of H. L. Pavlik. Incumbent's commission expires February 7, 1929.

NEW JERSEY

Charles Carter to be postmaster at Mount Ephraim, N. J., in place of Charles Carter. Incumbent's commission expires February 6, 1929.

NEW MEXICO

Lora C. Dunlavy to be postmaster at Springer, N. Mex., in place of Lorna Cunningham, resigned.

NEW YORK

William C. Mead to be postmaster at Hall, N. Y., in place of W. C. Mead. Incumbent's commission expires January 30, 1929.

Grace Davies to be postmaster at Lake Kushaqua, N. Y., in place of Grace Davies. Incumbent's commission expired January 22, 1929.

PENNSYLVANIA

Spencer M. Lloyd to be postmaster at Republic, Pa., in place of S. M. Lloyd. Incumbent's commission expired June 5, 1928.

SOUTH CAROLINA

Robert L. Edmunds to be postmaster at Sumter, S. C., in place of J. W. Bradford, removed.

SOUTH DAKOTA

Louis Damberger to be postmaster at Herreid, S. Dak., in place of A. W. Siegele, removed.

Thelma L. Campman to be postmaster at Isabel, S. Dak., in place of C. L. Buttrick, resigned.

Earl H. Lien to be postmaster at Platte, S. Dak., in place of Fred Chesley. Incumbent's commission expired December 11, 1928.

VIRGINIA

John M. B. Lewis to be postmaster at Lynchburg, Va., in place of J. M. B. Lewis. Incumbent's commission expires February 6, 1929.

WEST VIRGINIA

Blanche P. Reed to be postmaster at Clay, W. Va., in place of B. P. Reed. Incumbent's commission expires February 6, 1929.

Albert A. Drinkard to be postmaster at Elbert, W. Va., in place of A. A. Drinkard. Incumbent's commission expires February 6, 1929.

James T. Keeney to be postmaster at Eskdale, W. Va., in place of J. T. Keeney. Incumbent's commission expires February 6, 1929.

Thomas O. Wash to be postmaster at Kayford, W. Va., in place of T. O. Wash. Incumbent's commission expires February 6, 1929.

Ora E. Gay to be postmaster at Owens, W. Va., in place of O. E. Gay. Incumbent's commission expires February 6, 1929.

Andrew B. Canterbury to be postmaster at Pax, W. Va., in place of A. B. Canterbury. Incumbent's commission expires February 6, 1929.

Clifton M. Spangler to be postmaster at Peterstown, W. Va., in place of C. M. Spangler. Incumbent's commission expires February 6, 1929.

WISCONSIN

Lawrence A. Fjelsted to be postmaster at Colfax, Wis., in place of L. A. Fjelsted. Incumbent's commission expires February 7, 1929.

WYOMING

Henry H. Loucks to be postmaster at Sheridan, Wyo., in place of H. H. Loucks. Incumbent's commission expires February 7, 1929.

HOUSE OF REPRESENTATIVES

MONDAY, *January 28, 1929*

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

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

O Father of Infinite Love, Thou who are so patient to listen and so willing to hear, do Thou consider us and permit us to go forth to-day with Thy benediction; keep us in the mood of courageous faith and high purpose. Whatever may be the problems, lead the way, and enable us to press on with willing hands and patient hearts. We do most gratefully praise the One who is constantly blessing us. Direct all the interests of our country and all who are in authority. Remember our President and Speaker and all others upon whom rest the responsibility and function of government. In every way glorify Thyself through us, and Thine shall be the praise forever. In the holy name of Jesus. Amen.

The Journal of the proceedings of Friday, January 25, 1929, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had ordered that the House of Representatives be respectfully requested to return to the Senate the bill (S. 4222) entitled "An act to authorize the creation of Indian trust estates, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2362) entitled "An act to authorize the payment to Robert Toquothty of royalties arising from an oil and gas well in the bed of the Red River, Okla."

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 4338) entitled "An act to authorize the President to award, in the name of Congress, gold medals of appropriate design to Albert C. Read, Elmer F. Stone, Walter Hinton, H. C. Rodd, J. L. Breese, and Eugene Rhodes."

The message also announced that the Senate had passed a concurrent resolution (S. Con. Res. 33) authorizing the Secretary of the Senate in the enrollment of S. 4338, to amend the title.

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

H. R. 940. An act for the relief of Michael J. Fraher;

H. R. 2098. An act for the relief of Alonzo Northrup;

H. R. 3268. An act for the relief of John G. DeCamp;

H. R. 4589. An act for the relief of Dan A. Morrison;

H. R. 8341. An act to provide for appointing Clarence Ulery a warrant officer, United States Army;

H. R. 12113. An act providing for the acquirement by the United States of privately owned lands situated within certain townships in the Lincoln National Forest, in the State of New Mexico by exchanging therefor lands on the public domain also within such State;

H. R. 12995. An act for the relief of Etta B. Leach Johnson;

H. R. 14150. An act to amend section 279 of the Judicial Code;

H. R. 14925. An act to authorize repayment of certain excess amounts paid by purchasers of lots in the town sites of Bowdoin, Mont., and for other purposes; and

H. J. Res. 365. Joint resolution authorizing the President under certain conditions to invite the participation of other nations in the Chicago World's Fair, providing for the admission of their exhibits, and for other purposes.

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

H. R. 6496. An act granting the consent of Congress to compacts or agreements between the States of New Mexico and Oklahoma with respect to the division and apportionment of the waters of the Cimarron River and all other streams in which such States are jointly interested;

H. R. 6497. An act granting the consent of Congress to compacts or agreements between the States of New Mexico, Oklahoma, and Texas with respect to the division and apportionment of the waters of the Rio Grande, Pecos, and Canadian or Red Rivers and all other streams in which such States are jointly interested;

H. R. 6499. An act granting the consent of Congress to compacts or agreements between the States of New Mexico and Arizona with respect to the division and apportionment of the waters of the Gila and San Francisco Rivers and all other streams in which such States are jointly interested;

H. R. 7024. An act granting the consent of Congress to compacts or agreements between the States of Colorado and New Mexico with respect to the division and apportionment of the waters of the Rio Grande, San Juan, and Las Animas Rivers and all other streams in which such States are jointly interested;

H. R. 7025. An act granting the consent of Congress to compacts or agreements between the States of Colorado, Oklahoma, and Kansas with respect to the division and apportionment of the waters of the Arkansas River and all other streams in which such States are jointly interested;

H. R. 7200. An act to amend section 321 of the Penal Code;

H. R. 7409. An act for the relief of John J. Campbell;

H. R. 13097. An act for the relief of Thomas W. Moore; and

H. R. 13484. An act authorizing preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes.

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

S. 4517. An act appropriating tribal funds of Indians residing on the Klamath Reservation, Oreg., to pay expenses of the general council and business committee, and for other purposes;

S. 4704. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Tropical Everglades National Park in the State of Florida, and for other purposes;

S. 4890. An act authorizing the Secretary of the Treasury to pay the Gallup Undertaking Co. for burial of four Navajo Indians;

S. 5014. An act authorizing the Secretary of the Interior to issue to the city of Bozeman, Mont., a patent to certain public lands;

S. 5073. An act to amend the act of Congress of June 26, 1906, entitled "An act for the protection of the fisheries of Alaska, and for other purposes";

S. 5090. An act for the relief of Lewis H. Easterly;

S. 5095. An act to amend section 1, rule 3, subdivision (e), of an act to regulate navigation on the Great Lakes and their connecting and tributary waters, enacted February 8, 1895, as amended May 17, 1928;

S. 5178. An act to authorize the Secretary of the Treasury to donate to the city of Oakland, Calif., the United States Coast Guard cutter *Bear;*

S. 5179. An act to improve the efficiency of the Lighthouse Service, and for other purposes;

S. 5181. An act to amend section 4 of the act of June 15, 1917 (40 Stat. p. 224; sec. 341, title 22, U. S. C.);

S. 5269. An act to amend the United States mining laws applicable to the Black Hills and Harney National Forests;

S. 5331. An act for the relief of Edwina R. Munchhof;

S. 5452. An act to amend the trading with the enemy act so as to extend the time within which claims may be filed with the Alien Property Custodian;

S. J. Res. 198. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inauguration ceremonies in 1929; and

S. J. Res. 201. Joint resolution restricting the Federal Power Commission from issuing or approving any permits or licenses affecting the Colorado River or any of its tributaries, except the Gila River.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 3453) entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the claim of Clara Percy."

The message also announced that the Senate had passed a concurrent resolution (S. Con. Res. 32) requesting the President to return to the Senate the joint resolution (S. J. Res. 171) entitled "Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid transit railway."

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on January 26, 1929, present to the President for his approval bills of the House of the following titles:

H. R. 5953. An act for the relief of E. L. F. Auffurth;

H. R. 6350. An act for the relief of Bertram Lehman;

H. R. 6704. An act for the relief of Harry Pincus;

H. R. 7411. An act for the relief of Gilbert Faustina and John Alexander;
H. R. 8988. An act for the relief of Milton Longsdorf;
H. R. 9049. An act to amend section 227 of the Judicial Code;
H. R. 9509. An act for the relief of Ray Ernest Smith;
H. R. 10125. An act for the relief of Leo Scheuren;
H. R. 10126. An act for the relief of Loretta Pepper;
H. R. 10974. An act for the relief of Carl Holm;
H. R. 12879. An act to repeal section 1445 of the Revised Statutes of the United States; and
H. R. 13144. An act to cede certain lands in the State of Idaho, including John Smiths Lake, to the State of Idaho for fish-cultural purposes, and for other purposes.

IMPORTATION OF SUGAR FROM THE PHILIPPINE ISLANDS

Mr. GARDNER of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement made before the Committee on Ways and Means by Mr. Vicente Villamin, Filipino lawyer and economist, of New York City.

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

There was no objection.

The matter referred to follows:

Mr. VILLAMIN. Mr. Chairman, in view of the swelling deluge of prophetic words adverse to the Philippines and the fact that I am the last speaker at these hearings for that country, may I suggest that my time be extended to 10 minutes, assuring this committee that I will not add unnecessarily to the verbal tonnage of the day?

The CHAIRMAN. The 5-minute rule will have to be adhered to.

Mr. VILLAMIN. Very well, then. I am going to speak on the broader aspects of the proposition of limiting the importations of sugar from the Philippines to the United States in defiance of the free trade existing between the two countries.

Gentlemen, irrespective of my wishes and aspirations as a Filipino citizen, I believe, as a modest student of international affairs, that the United States is going to stay in the Philippines indefinitely. This assertion finds support in the domain of international realities.

At present the Philippines is the most vulnerable sector on the circumference of America's national defense. Obviously, America's course in the premises is to build up and vitalize the Philippines and convert it into an appreciable asset, politically, economically, strategically.

To accomplish this end two things are essential. First, to be assured of the good will and loyalty of the 12,000,000 Filipinos, which can be realized by vouchsafing to them equitable treatment and equal opportunity under the American flag. Second, to strengthen the Philippines and the Filipinos by developing and utilizing their natural resources.

If the tariff limitation principle, as contemplated in the Timberlake resolution, is adopted, it will effectively stop further economic development in the Philippines. This will embrace not only sugar but all other products as well, including those noncompetitive commodities not produced in continental United States, like rubber, coffee, quinine, fibers, and other tropical raw materials.

Here is an example of what I mean. One of these days that genius, Thomas Edison, may succeed in producing synthetic rubber. In that event Philippine rubber would doubtless be, following the principle of limitation, the subject of a "Timberlake" treatment.

Therefore I say if the restriction theory is established you will have planted a dynamite in the foundation stone of America's international position in the Far East, the very area to which world affairs have gravitated with all their tremendous possibilities.

If the United States, by her vacillation aggravated by equivocation, is not going to permit the development of the Philippines by Americans and Filipinos either separately or conjointly other nations will assume that profitable undertaking. Those islands are too rich in natural resources to remain unnoticed, unmolested, and untouched. The nation that desires most and needs most that opportunity is Japan. Geographical propinquity, inadequate resources, and the actualization of her program of industrialization to meet her problem of overpopulation are the considerations that animate Japan's purposes and plans.

Gentlemen, without sounding any alarm or wagging the tongue of the alarmist, it is indubitable that the resources of the Philippines, including the nearly half a billion tons of iron-ore deposits, under the financial, not to say political, control of Japan would serve powerfully to strengthen Japan's economic sinews and consequently enhance her military power. This fact bears grave connotations to the United States as a power with vital interests in the Pacific that is of the very warp and woof of her national and international policies.

You will therefore have, if you adopt the principle of tariff restriction in your trade relations with the Philippines, surrendered from the armory of American authority the instrument for the destruction of that authority.

Mr. Chairman, I do not have the time to refute the arguments of the beet-sugar gentlemen point by point. In a friendly fashion I should have wished to engage with them in a blow-by-blow debate. I can only say one word now: From the right side of this committee I have listened to the enunciations of the fundamental philosophy of tariff protection, epitomized in guarantees of American market, American labor, American wages, and American equipment. That is all well and good. Official records show, however, that the labor in the beet-sugar industry is inconsequentially American and overwhelmingly Mexican.

Therefore, Mr. Chairman, it is with becoming appropriateness that the first speaker at these hearings for the beet-sugar industry, Mr. Cummings, reechoing in a falsetto voice the protectionist philosophy, really sang the pæans of praise to the Mexican peons. "All hail to the Mexicans; to hell with the Filipinos"—that's exactly what they mean in plain American lingo.

Gentlemen, our agricultural problem is depressing. While our soil yields only 2 tons of sugar an acre that of Louisiana yields 3 tons, Porto Rico 5 tons, and Hawaii, according to the Hawaiian representative who spoke yesterday, yields 6.39 tons.

The Philippines, in 1928, contributed 9 per cent of the sugar consumed in the United States that year. These good people would want you to believe that we could displace them from the United States market. Gentlemen, when Cuba reduced her contribution to the total consumption of the United States in 1928 through a self-imposed restriction by 9 per cent, did the Philippines rush into the lurch to make up for the diminution? Statistics say no. It was the continental beet and cane sugar that took care of that, increasing its percentage in the national consumption from 15 to 21.

This instance demonstrates conclusively the overpowering vitality of the beet and cane sugar industry of the United States. Increased tariff protection will intrench them more strongly and fortify their relative position of strength respecting the sugar that comes from the other side of the globe.

Now, as to profits in sugar. I have the latest fortnightly report of the Manila Stock Exchange. The nine sugar stocks quoted therein averaged less than 17 per cent in dividends paid in 1927, and the mills were the most efficient ones in the Philippines. During that year 60 per cent of the beet-sugar industry paid more than 30 per cent dividends. Is this not significant?

Finally, let us see what this war talk in connection with sugar is all about. They say in case of war sugar supplies can not be brought over from the Philippines. Now, logically, would not this be a good thing for the beet-sugar interests? It would mean, on the one hand, the destruction of the Philippine sugar industry if war shuts off the sea lanes, and, on the other, shortage of supply in the United States and hence higher prices.

The most important thing for America to protect in case of an international emergency is the American flag—American interests, American rights, American prestige. The beet-sugar gentlemen do not seem to have great confidence in the efficacy of the United States Navy to protect American interests overseas. Gentlemen, let me remind you that America's problem of defending the lines of ocean communications between the United States and the Philippines is infinitesimal in comparison with similar problems of England, with which country America, theoretically at least, maintains a naval parity.

The CHAIRMAN. Are there any questions?

Mr. VILLAMIN. May I ask for just one minute more?

Mr. CHINDBLOM. If the gentleman wants a few minutes I think he should have it. What he is saying is not repetition, but new matter.

The CHAIRMAN. Without objection, the time of the gentleman will be extended two minutes.

Mr. VILLAMIN. I was going to say that the consuming power of the United States has a wonderful elasticity. During the World War, by direction of the then Food Administrator, Herbert Hoover, the sugar consumption was reduced by as much as 50 per cent of normal. The United States revealed a tremendous Hooverizing quality. Where, I ask, in view of this formidable truth, is the seriousness of possible depreciation in sugar supply in war time represented by the relatively insignificant importations from the Philippines?

I desire now to talk about the alleged competition of the Philippines with beet sugar. It is all fiction. Not a single pound of Philippine sugar enters the beet-sugar territory. In the first place, there is not enough of that sugar entering this country; in the second place, the overland freight rates from the ports of entry to the territory are absolutely prohibitive.

Mr. Chairman, I do not blame the beet-sugar people, because they are in business to make money, but only last year they vigorously opposed the barge bill in Congress because it provided for a cheaper and better transportation system on the Mississippi and its tributaries tapping the beet-sugar territory. I repeat, I don't blame them for that, but when they tell this committee of the "Philippine menace" in the offing I am reminded of that ancient hyperbole in Homer's Iliad of the miserable mouse being born after the laboring of the mountains and the grand expectations.

Let me say a few words now on the potentiality of sugar production of the Philippines.

The CHAIRMAN. The gentleman's time has again expired.

Mr. VILLAMIN. I am going to say something which has never been said before * * *. I was going respectfully to challenge Mr. TIMBERLAKE * * *.

The CHAIRMAN. Are there any questions?

Mr. CROWTHER. I ask unanimous consent that the gentleman may have three minutes more.

The CHAIRMAN. Without objection, the time of the gentleman is extended three minutes.

Mr. VILLAMIN. Many thanks. They say if you permit the Philippines to expand her economic activities unrestrictedly American capital in sizeable amounts will flow thither and the time would soon come when they could produce an enormous amount of sugar. This is my reply: If you make the Philippine political status definite this American capital, which, by the way, I want to see in the hands of the Filipinos in the same way as Americans used British capital in the past, will go to the development of rubber and other undeveloped non-competing industries.

We are almost compelled under prevailing conditions and circumstances to go in the sugar business, for that is a well-established, centuries-old business where reasonable profits are made; and we are kept away by uncertainty from starting those noncompetitive industries which I mentioned in the early part of my statement here.

The Timberlake resolution will add enormously to the already uncertain political status of the Philippines. To him who would analyze that measure in this light it will become evident that while it will be a bomb to the Philippine sugar industry it will be a boomerang to the beet-sugar interests. Both sides will lose, and it is uneconomic.

Yesterday, out in the lobby, Mr. Lippitt, the vice president of the Great Western Sugar Co., said to me: "We are giving you people good advice. It is the idea of diversification." I told him we were not taking many advices from our adversaries. And there is no hard feeling in that, Mr. Lippitt.

Diversification, gentlemen, is the talismanic word that hopeless politicians and hopeful candidates hand out to the farmers when a farm question reaches an impasse. We have in the Philippines already a reasonably well-balanced agricultural diversification. Can you imagine that even Hawaii and Cuba are advising us to diversify? Those two countries need that advice for themselves infinitely more than the Philippines, and they know it perfectly well.

We are told, "Sell your sugar in the Orient." Oriental countries are tariff inclosed. Their tariff walls are higher than in the United States. We are not able to compete with Java, which dominates the oriental markets now. The only way to compete with Java is to reduce our production costs vertically and horizontally to the Javanese level, and that spells the reduction of our standard of living to the plane of the coolie labor in Java, whose daily wage is 20 cents or less. That, gentlemen, means the complete undoing and annihilation of the 30 years of work by America in the Philippines of economic amelioration and social regeneration. Is this not worth thinking about?

The CHAIRMAN. The gentleman's time has expired. Are there any questions?

Mr. TREADWAY. I would like to ask the gentleman his official position.

Mr. VILLAMIN. I have no official position. I am a lawyer. I have engaged in the study of economics, finance, and international affairs during the last 10 years. I am untrammelled and unhampered by official representation, political consideration, or candidatorial commitment. I discuss this question objectively on its merits, and on them alone.

May I add, Mr. TREADWAY, that, modestly, in the teeth of opposition and misapprehension, I am leading the movement for deferred separation from America for purely Filipino reasons, the principal one being the commercial advantages that we derive from our association with this country. My conviction is when we shall have established a strong economic structure for our country our independence will have become maintainable and its advent will have been accelerated.

The CHAIRMAN. The witness will please answer the questions without expatiation.

Mr. TREADWAY. I would like a little expatiation.

The CHAIRMAN. It is all at the expense of the time of the other witnesses.

Mr. TREADWAY. I think it is very interesting. I would like to ask another question, if you do not mind, Mr. Chairman.

At the very beginning of your remarks, perhaps you explain more in detail just what you refer to as the uncertain status—I heard you use those words. I would like to know more about that.

Mr. VILLAMIN. It is simply this: The beet-sugar producers who are not constitutional lawyers have affirmed here that the Philippines are a foreign country. That's not so, gentlemen. By the unbroken line of decisions of the Supreme Court of the United States the Philippines, though not an integral part of this country, is, nevertheless, an insular possession and not foreign to it. The Filipinos are neither citizens of nor foreigners to the United States. They are a legal conundrum, a political exclamation mark, an international anomaly. But the overshadowing fact is the Philippines are under the American flag as fully and as completely as the Capitol or the White House.

Mr. Chairman, I see your gavel is about to descend. Just half a minute more.

The CHAIRMAN. You asked for 5 minutes and you have been on the stand for 15 minutes. I am only suggesting this in fairness to the other witnesses.

Mr. VILLAMIN. We are fighting against tremendous odds.

Mr. CHINDBLOM. I would like to ask the gentleman if, in revising his remarks, as he will have a chance to do, he will state the sources of the data and statistics bearing on the brief references that he made in his remarks?

Mr. VILLAMIN. With pleasure, Congressman.

Mr. TREADWAY. Mr. Chairman, I would like to have him elaborate still further his remarks.

The CHAIRMAN. Let him elaborate them in his extension.

Mr. TREADWAY. I say in his extension in the record, in his written brief. I would like to have elaborated somewhat in reference to the relations between the United States and the Philippines and give a description of his reference to the "uncertain status." Further, his references to Philippine independence.

Mr. VILLAMIN. I have an article published in the Saturday Evening Post covering the point.

Gentlemen, I do not want to be cut off on the statement of my position on Philippine independence. I am opposed to immediate and complete independence now because of the economic advantages we enjoy which, as I said before, is the only thing that will speed the dawning of the day of our coveted independence.

If the limitation principle is adopted, that will knock off the bottom of my argument and render my position on the independence question untenable. Under that impact, if I am sincere and consistent, I should reverse myself and become an independence advocate. That I will do without hesitation and without reservation if America commits the colossal contradiction which the Timberlake resolution has in contemplation.

Mr. GARNER. I want to make a suggestion: If we are to retain the Philippines indefinitely, had they not better be brought under the Territorial laws and made a part of the United States as a Territory?

Mr. VILLAMIN. I am against the indefinite retention of the Philippines by the United States. I stand firmly on that as a principle.

The United States, I conceive, is under a binding moral obligation to prepare the Filipinos for nationhood and help them acquire, when the time of separation comes, a reasonable chance to exist in tolerable tranquillity, security, and prosperity. The Timberlake resolution will prevent the consummation of that great and glorious hope.

CLAIMS INCIDENT TO EXPLOSION AT THE NAVAL AMMUNITION DEPOT, LAKE DENMARK, N. J.

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12236, with Senate amendments, concur in the Senate amendments, and pass the bill.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to take from the Speaker's table the bill H. R. 12236, with Senate amendments, to concur in the Senate amendments, and pass the bill. The Clerk will report the bill with the Senate amendments.

The Clerk read as follows:

A bill (H. R. 12236) to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

The Senate amendments were read.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Do the amendments in any way cover insurance companies?

Mr. ACKERMAN. They have been deducted.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in.

PENSIONS

Mr. W. T. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House bill 14800, with Senate amendments, disagree to the Senate amenndments, and ask for a conference.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 14800, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

Mr. SNELL. Is that a pension bill?

Mr. W. T. FITZGERALD. Yes.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, is this agreeable to the minority members of the Committee on Pensions?

Mr. ELLIOTT. It is. I have just had a conference with the ranking member.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. W. T. FITZGERALD, Mr. ELLIOTT, and Mr. GREENWOOD.

MAJ. WILLIAM P. WILSON

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the omnibus bill H. R. 16522, which granted a pension to Marie T. Wilson, widow of Maj. William P. Wilson, late of the Ordnance Department of the United States Army, who died while in the line of duty November 27, 1927.

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

There was no objection.

Mr. HUDSON. Major Wilson's work was most important and his contribution to the national defense was of the greatest moment, through his untiring efforts in the perfecting of an antiaircraft fire-control instrument. One of the greatest problems in connection with our aircraft defense has been that of obtaining a high degree of accuracy for our antiaircraft guns. Major Wilson's wonderful success in designing such an instrument is of international significance. As matters now stand, our Army is in a position to protect our citizen homes against an aircraft attack.

Major Wilson has, since the World War, unremittingly given himself to the task and has given every ounce of his nerve and energy to the perfection and completion of this great invention.

In this connection I want to read from Col. C. E. Kilbourne, Coast Artillery Corps; Maj. Gen. C. C. Williams, Chief of Ordnance; and Maj. O. L. Spiller, Coast Artillery Corps, their estimate of this man's great work for his Nation:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF COAST ARTILLERY,
Washington.

* * * * * * *

During the war, antiaircraft gunfire, while it improved somewhat toward the close, was relatively ineffective. The fire had to be so conducted that the projectiles would burst, not where the plane was when observed, but where it would be after the piece was loaded and fired and the projectile reached the plane. This involved:

First. Determining the position in altitude and direction of the plane.

Second. Determining its course and speed.

Third. From these determining where the plane would be at the end of the loading and the time of flight of the projectile, which time of flight itself depended upon the future position of the plane.

Fourth. Determining the fuze setting that would cause the projectile to burst at the proper instant.

When the speed of a plane is considered (40 to 50 yards a second) you may grasp the complications of the problem and the importance of shortening all operations preceding the actual firing of the piece. For example, an error of 5 yards in determining the course of the plane during 1 second, would result in an error of 50 yards at the end of 10 seconds, leaving the plane still within the danger zone of the bursting shell. But if the time between the computations and the burst were 30 seconds the error would be 150 yards; if 1 minute elapsed, the error would become 300 yards; in either of these last the burst would be ineffective.

It was essential therefore that a system be developed by which the instruments would automatically predict the future position of the plane continuously, and that these predictions should be automatically converted into elevation and direction for the gun and into the correct fuze setting. Furthermore, it was essential that these data should be instantly indicated to those operating the gun and the fuze setter so that they, by merely keeping certain indices on the gun and fuze setter, opposite corresponding indices actuated by electric impulse from the controlling instruments, could maintain continuous and accurate fire.

It was to this problem Major Wilson addressed himself. He utilized, of course, all he could glean from similar efforts in foreign armies. But the instrument he designed, and which we have adopted for our service, is purely his own. Not only will his instrument operate for a plane moving on a straight course but will predict for a plane moving on a regular curve. It will not predict for an erratic course, but you must remember that planes of high maneuverability are targets for the smaller automatic weapons. That bombing planes, for protection against which the antiaircraft cannon are provided, are heavy and incapable of sudden changes of course—furthermore that, if prevented from flying toward their objective on a fairly straight course, their bombs can not be dropped upon that objective. For these bombing planes, therefore, Major Wilson's device solves our problem.

It was tested out at the Aberdeen proving ground last fall and so conclusively proved itself that our Ordnance Department was prepared, upon conclusion of the tests, to go ahead with the final design of the instrument. Some improvements were indicated as desirable and on these Major Wilson was putting the final touches when he died of heart failure.

Combined with his genius was an intense devotion to duty that won the respect, and a modesty and consideration for others that won the love of his comrades and fellow workers.

* * * * * * *

Sincerely yours,

C. E. KILBOURNE,
Colonel, Coast Artillery Corps.

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Major Wilson served at Frankford Arsenal for nearly four years prior to his death. During the greater part of this time he was in charge of the optical and instrument laboratories and the fire-control design section. The period of Major Wilson's incumbency was one of great activity and rapid development. Great strides were being made in perfecting the new types of antiaircraft and mobile artillery leading to the standardization of nearly all the improved types and calibers. A most important part of any artillery development is the provision of accurate means for directing and controlling the fire. Practically all of the new sighting systems, seacoast fire-control apparatus, and ballistic computing devices were designed under the direction and close personal supervision of Major Wilson.

The most noteworthy example of this officer's work, and the one that best illustrates his outstanding technical ability and inventive genius, is the antiaircraft fire-control director TI. The work of designing this instrument was started in 1924 and carried forward continuously until his death. The instruments in use at the time this development was started were comparatively crude affairs, very similar to the ones improvised during the war. They were inherently inaccurate and unsatisfactory. All types were based on assumptions and approximations designed to simplify the computing problem, but necessarily introducing inaccuracies seriously affecting the value of the computed data.

Major Wilson, disregarding all precedent, attacked the problem from an entirely new angle and succeeded before his death in developing an instrument theoretically and by actual firing test superior to any similar purpose instrument in existence.

In order to appreciate the difficulties of this work it is essential that the problem be at least partially understood. The target is moving at a high rate of speed through space. Its position with respect to the battery is constantly changing in three dimensions. The gun must be pointed sufficiently in advance of the target in order that the projectile and the target will meet, and the fuze must be so timed as to burst the projectile at that instant. Variations in muzzle velocity, wind, atmospheric density, and drift must all be accurately computed, and the necessary corrections applied to the firing data. All of this must be done continuously and automatically.

The director, which is essentially a supercomputing machine, solves all the geometrical and ballistic problems involved. It automatically computes the future position of the target based on the angular rates of change in azimuth and elevation; it automatically multiplies these rates by the time of flight of the projectile. It automatically applies all the ballistic corrections; thus the instrument is able to give continuously the azimuth, quadrant elevation, and fuze range, corresponding to the future position of the target. These data are transmitted automatically to the guns. The guns are trained by traversing and elevating in such manner as to keep two moving pointers in coincidence. Sights and range drums are eliminated from the carriage. It is not necessary that the manning personnel of the guns see the target. A machine that will do all this is necessarily very intricate and complicated. A high degree of precision is necessary in its design and construction.

Other antiaircraft projects worked out under Major Wilson's direction include a sighting system that is vastly superior to preceding types; a machine gun data computer and several types of machine-gun sights. His contributions to seacoast artillery fire control are numerous and include the development of the cloke plotting and relocating board, which is now standard for all long-range batteries; an improved range-correction board, a percentage corrector, and the new standard long-range depression position finder.

His work for the field artillery covers such items as new sights and sight mounts for the 105 mm. howitzer, the 75 mm. gun, the 75 mm. pack howitzer, the 75 mm. infantry mortar, and the 37 mm. infantry gun. The sighting system for the mount first mentioned incorporates certain new and valuable features which make it superior to any similar

foreign development. The other sights compare favorably with the new developments in other countries.

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Sincerely yours,

C. C. WILLIAMS,
Major General, Chief of Ordnance.

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The first knowledge I had of Major Wilson's interest in this type of development was in the summer of 1920 when I saw him at Aberdeen Proving Ground. He questioned me at great length concerning the types of fire-control instruments in use by the allied armies during the World War and the relative efficiency of each. I was able to give him considerable data along this line for the reason that I served in the antiaircraft service in France and had occasion to visit various allied antiaircraft units at the front as well as in training centers where officers were instructed in the theory of antiaircraft fire control.

The next year, 1921, when I was in Washington on official business, Major Wilson again talked with me on the subject and I found that he had acquired a most thorough knowledge of the theory of antiaircraft fire and of all the principles involved, and, also, that he knew the mechanical details of all of the instruments used in the allied armies, and understood thoroughly their weak points. At this time Major Wilson informed me that he had in mind a "central control instrument" which would overcome all the mechanical defects that were experienced in operating the war instruments and would be correct in principle. However, he had considerable doubt that he could make the machine work. I found out later through further acquaintance and conversation with Major Wilson that this last remark of his was prompted more by his modesty than by actual fear that the instrument would not be a success. After this I saw Major Wilson at intervals of about six months until he completed his instrument in 1926. I can not say exactly how much of his time he devoted to the study and design of this instrument, but I know that during this five years he was continually studying the antiaircraft problem, making and remaking parts of the apparatus many times in order to obtain the performance at which he was aiming.

Although he received ideas and suggestions from many people and made use of the ideas which were applied by others during the war, it may be safely said that Major Wilson's design was absolutely original and the principles he applied to determine the firing data were entirely different from those employed in any other instrument.

Some of the objectionable features of the war instruments were that they were inaccurate, slow, and based on too many assumptions as to the course, speed, and expected maneuver of the airplane. Neither were they provided with means in the instrument for correcting for the effect of wind, drift, and change in muzzle velocity. These last-named variations are very common and should be taken care of by any instrument before it can approach accuracy. In Major Wilson's instrument practically all of these were overcome. The instrument was accurate, was speedy in operation, and contained means for correcting for variations in wind, drift, and muzzle velocity. There would be no comparison whatever between the performance of a 4-gun battery firing at an airplane using the best of the war-time instruments and the same battery using the Wilson instrument. With the latter the fire would be considerably faster and so much more accurate that it would be apparent to the casual observer not familiar with the principles of antiaircraft fire.

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Very respectfully,

O. L. SPILLER,
Major, Coast Artillery Corps.

FIRST DIFICIENCY BILL, 1929

Mr. WOOD. Mr. Speaker, I wish to give notice to the House that to-morrow morning, after the reading of the Journal and the disposal of business on the Speaker's table, I shall ask unanimous consent to take from the Speaker's desk the first deficiency bill, 1929.

Mr. LAGUARDIA. With twenty million and odd dollars put on by the Senate.

ELLIS ISLAND

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

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

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I desire to call the attention of the House to a censorship of the press brought about by a minor official of the United States Government, the Commissioner of Immigration at Ellis Island.

Now, there is a tendency in this country on the part of a few unimportant people to abolish the great American institution of freedom of speech and free press, and here and there a petty official in a minor office is found willing to carry out this purpose. A few days ago there arrived at Ellis Island an English boy, a stowaway, on the steamer *Lancastna*. He arrived with both feet frozen. Under the law, of course, the boy can not be admitted. The deportation is mandatory. A daily newspaper in New York City sent one of its reporters to Ellis Island to interview this boy, and admission to newspaper men was refused by the Commissioner of Immigration.

That naturally causes to arise a suspicion as to the condition of the Government institution at Ellis Island.

Gentlemen, I worked there 21 years ago under Commissioner Watchorn, and the island was so conducted at that time that newspaper men were admitted at all times, and everything that was going on there was open to the inspection of the public. I now charge that there must be something very rotten at Ellis Island to prompt the Commissioner of Immigration passing a rule or censorship preventing representatives of the press from going on the island and seeing people.

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

Mr. LAGUARDIA. In a moment.

Gentlemen well know that the press has access to Government institutions, hospitals, penal institutions, and departments; and it is not only improper but contrary to the very principle of our Government to establish a censorship of that kind.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. Then the gentleman served there under a Democratic administration, while now we are under Republican rule.

Mr. LAGUARDIA. Oh, no. Robert Watchorn was then the Commissioner of Immigration and Oscar Straus and Charles Nagle were the Secretaries of Commerce and Labor during my time, both Republicans.

Mr. BLANTON. But it was under a Democratic administration.

Mr. LAGUARDIA. Twenty years ago Oscar Straus was Secretary of Commerce and Labor, and a more humane and able man never served in that capacity. I want to take this opportunity of advising and serving notice that I shall start an investigation of Ellis Island of my own, and if there is anything there that Mr. Day thinks he can hide by reason of his censorship, I will bring it to light. [Applause.]

RULES OF THE HOUSE

Mr. SNELL. Mr. Speaker, I call up House Resolution 278, a privileged resolution from the Committee on Rules.

The SPEAKER. The gentleman from New York calls up a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 278

Resolved, That Rule XIII of the Rules of the House of Representatives be amended by inserting a new paragraph following paragraph 2, which shall be known as paragraph 2a, and shall read as follows:

"2a. Whenever a committee reports a bill or a joint resolution repealing or amending any statute or part thereof it shall include in its report or in an accompanying document—

"(1) The text of the statute or part thereof which is proposed to be repealed; and

"(2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions proposed to be made."

Mr. SNELL. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Speaker, the resolution which has just been read from the Clerk's desk is one to amend an existing rule, Rule XIII of the Rules of the House of Representatives. This proposed rule has been the subject of informal discussion among the Members of the House for a number of years. I have discussed on the floor of the House this proposed rule a number of times. The amendment to the rule as it is before you now has been carefully considered by the parliamentary clerk, the legislative counsel of the House of Representatives, the Committee on Rules, and a large number of the membership of this House. The Committee on Rules unanimously reported this resolution as proposing a proper amendment to the House rules.

The proposal in this new rule is simply this: Many bills which are introduced are to amend statutes. Such bills are reported back to the House, and there is nothing either in the bill or in the report accompanying the bill to advise Members of the House just what specific changes the bill proposes to make in the statute under consideration. If this amendment to Rule XIII is adopted, then hereafter a committee which reports a bill to amend an existing statute must show in the report just what changes are proposed. Suppose a bill is to amend a statute—we will just call it section 100—by omitting some words

and adding thereto other words. The proposal is that the report shall show by stricken-through type the words to be omitted and by italics the words that are added, so that a Member who is interested in knowing just what changes it is proposed to make in the statute under consideration can get the report, read it, and have before him exactly the changes which are proposed to be made. Personally, I have followed this practice as to all bills I have been authorized to report from the committees on which I served, and the reports which accompanied such bills showed exactly the changes which were to be made. Some members from other committees have also followed this practice, but I do not know that any one committee has followed this practice.

We want here by a general rule to enforce that practice on every committee that reports out a bill proposing to repeal or amend any statute or part thereof. It will greatly aid Members who desire to follow legislation in knowing exactly what changes are proposed, and it will enable them to acquaint themselves with the changes that are proposed by reading the committee report. Very often we have bills before us to amend section so-and-so to read as follows. It occurs occasionally the gentlemen who have charge of such a bill can only say in a general way what the effect of the proposed changes will be. They appear on the floor without even the code, the Statutes at Large, or anything else which will enable them to answer questions as to what specific changes are proposed. Under this rule such questions will be answered specifically in the report before the bill is called up for consideration on the floor of the House. I think it will greatly aid in orderly legislation. Many of the State legislatures now require proposed changes in statutes be shown either in the reports accompanying bills or in the bills themselves.

Mr. COLTON. Will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. COLTON. The Public Lands Committee, for instance, last week reported a bill of some two pages in which but one word was to be changed, and the most of the bill was a long description of land to be added to a forest reserve. Now, would it be necessary to print the entire bill, or would it be sufficient to indicate the change to be made?

Mr. RAMSEYER. It would be sufficient to indicate only the change to be made, and the second paragraph of the resolution covers that:

A comparative print of that part of the bill or joint resolution making the amendment.

It would not be necessary to print the entire bill.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. MOORE of Virginia. I was not here when the gentleman began his statement. Is it contemplated that when a bill is reported amending a section of an existing statute that the entire section shall be repeated and then that the new matter shall be italicized? That is a very convenient method of legislation, and is required by the constitutions of a great many States.

Mr. RAMSEYER. That is the practice in some of the States. I have bills in my pocket showing the practice followed in the State of New York, and a similar practice is followed in Vermont, Pennsylvania, and, I think, in Virginia. Since this matter has been up for discussion among Members of the House I have heard of at least 12 or 15 States in which the changes proposed to be made must be shown in the bill itself or in the accompanying report, as this rule requires.

Mr. MOORE of Virginia. At the present time, very often a bill is reported here which provides, for instance, that a certain section of an existing statute shall be amended by adding certain words.

Mr. RAMSEYER. Yes.

Mr. MOORE of Virginia. And you have to consult the statute that is in existence and perhaps many preceding statutes to ascertain the effect of the proposed amendment. This rule would not meet that case, would it?

Mr. RAMSEYER. Yes; this rule meets your case. This rule would require that statute to be amended, be printed in the report together with the words to be added printed in italics, so you could see at a glance the proposed change.

Mr. MOORE of Virginia. Set out in the bill or in the report?

Mr. RAMSEYER. In the report.

Mr. MOORE of Virginia. But not in the bill?

Mr. RAMSEYER. No; this rule does not contemplate any change in the existing practice in regard to printing bills. The accompanying report must show the proposed changes.

Mr. MOORE of Virginia. I hope some time the gentleman may consider going a step further and proposing that the bill itself shall reenact the section that is involved, so anybody at a glance can see exactly what change is made in existing law.

Mr. RAMSEYER. There is merit to the gentleman's suggestion.

Mr. HUDSON. Will the gentleman yield there?

Mr. RAMSEYER. Yes; I yield to the gentleman from Michigan.

Mr. HUDSON. That was the point I wanted to bring out. The bills are laid upon our desk, and we have then the first notice of proposed legislation. It seems to me, as is the practice in the State of Michigan, the bill ought to carry in brackets the part of the statute that is to be eliminated and in italics the proposed amendment; then we would have notice before referring to the report of the committee.

Mr. RAMSEYER. That is the practice in many States, but there are so many bills introduced here and so few reported out it was thought at least for a starter we had better limit ourselves to showing the changes in the bills that are actually reported and show those changes in the reports accompanying the bills.

Mr. NEWTON. Will the gentleman yield there?

Mr. RAMSEYER. I yield to the gentleman from Minnesota.

Mr. NEWTON. The purpose, of course, is to inform the membership of the House as to what the original act is and the proposed changes, so that each Member will know them. It seems to me this can be done as effectively by the method proposed here in the rule, to have this embodied in the report, as it would be to have it in the bill itself.

Mr. RAMSEYER. I think so.

Mr. NEWTON. I know that on most of the bills our committee has reported out amending the interstate commerce act; we have followed that practice in the report.

Mr. RAMSEYER. I know that the gentleman from Minnesota, who is now interrogating me, has followed that practice in the bills he has reported which proposed changes in existing statutes.

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

Mr. SNELL. Mr. Speaker, I yield the gentleman from Iowa five additional minutes.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. RAMSEYER. I yield to the gentleman from New York.

Mr. LAGUARDIA. Of course, the gentleman's rule will be of great help to some of us who work on the Consent Calendar, but I think it is important that the gentleman should embody in his remarks a warning to the drafters of bills amending existing laws or statutes not to use line references in amending bills, such references as "the fifth" or the "seventh line" of the second paragraph or "after the semicolon in the tenth line." Such language has become quite customary. Especially is this true of the Navy Department and the War Department, where many of these bills are drafted. They may be working from a particular edition which they have before them and the lining changes in each edition or print of the law. References should be by sections and by quoting sufficiently from the law as to make the amendment clear. Therefore, for the sake of good and proper legislation the amendment should show the certain word in a certain section that is to be stricken out and show what is to be inserted in lieu thereof and the complete amended section. We have considerable trouble with a reference to a certain line, when we are all working with different editions of the law. The best form is to provide, for example: "That the section as amended shall read as follows."

Mr. RAMSEYER. The gentleman's warning is well taken, and I adopt it now as my own, giving the gentleman, however, due credit of authorship.

Mr. CRAMTON. Will the gentleman yield?

Mr. RAMSEYER. I yield to the gentleman from Michigan.

Mr. CRAMTON. The resolution applies only to bills and joint resolutions. What does the gentleman think of having it broad enough to apply also to House resolutions from the gentleman's Committee on Rules that have to do with substantive changes in the rules? Would it not be wise to have this same regulation apply to the Rules Committee in such cases? [Laughter.]

Mr. RAMSEYER. Well, I am trying to recall whether such a situation as that to which the gentleman now refers has ever arisen.

Mr. CRAMTON. The situation has arisen in a rather conspicuous recent instance, and I wondered whether the failure of the Committee on Rules, having reported this resolution to apply to all other committees of the House, to include language that would apply to themselves was based on their realization that they would themselves abide by the reform without any such requirement.

Mr. RAMSEYER. No. The Committee on Rules, of course, never gave the thought embodied in the gentleman's suggestion any consideration. The rules are simple propositions in comparison with our statute laws. The rules of the House are much more easily found and can be very readily compared; every Member on the floor of the House is entitled to have them before him. I am sure that the Members of the House feel there is no necessity for making this rule applicable to resolutions reported by the Committee on Rules.

Mr. CRAMTON. Do I understand from the gentleman's statement that the Rules Committee does not feel that they ought to follow this practice that they are prescribing for all other committees?

Mr. RAMSEYER. The Rules Committee has not given it any thought. The Rules Committee, so far as I know, has in the past, and will in the future, I am sure, make very plain to the House membership any changes proposed to the rules of the House so as to make it perfectly clear to the gentleman from Michigan and others interested what it is proposed to be changed in any existing rule.

Mr. DENISON. Will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. DENISON. What would be the effect if the committee failed to comply?

Mr. RAMSEYER. If the committee failed to comply with the rules of the House?

Mr. DENISON. Yes; with the rule with reference to the report of the bill?

Mr. RAMSEYER. The rule requires bills of a certain kind to be accompanied by a report showing certain things.

Mr. DENISON. Suppose the committee should bring in a report and not comply with the rule. Would a point of order lie?

Mr. RAMSEYER. That will be determined by the Speaker if that situation should arise. My own opinion is that a point of order would lie.

The SPEAKER. The time of the gentleman has again expired.

Mr. SNELL. I yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I shall vote for the rule reported by the gentleman from Iowa, although I think it is far from what the House needs. It deals only with bills and resolutions introduced in the House. But instead of being a House rule this ought, in my opinion, to be a bill which, when made a law, would be applicable to all bills and resolutions introduced in either the House or the Senate.

I did not know that the gentleman from Iowa had introduced the rule now before us, when on December 6 I introduced a bill to amend chapter 6, title 44, of the United States Code by inserting a new section to be known as section 189-a, which provides that any bill or resolution proposing an amendment to any existing statute or to the Constitution shall have matter to be stricken out printed with a line drawn through the same and new matter printed in italics; and provides also that the provisions of the proposed new section shall govern the printing of amendments to bills, resolutions, joint resolutions, and memorials so far as applicable.

These provisions of the bill I introduced are found in the statutes of Wisconsin, and in those of other States. The language is clear, definite, not to be misunderstood. It provides that proposed amendments to bills and to resolutions shall be printed in one way and in one way only. But I notice that the rule submitted by the gentleman from Iowa provides that the committee shall include in its report—

> (2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions proposed to be made.

Now that, I think, is very far from being as specific and exact as it ought to be. Indeed, it is not specific, definite, at all. It would allow committees to report bills and amendments in either of three different and dissimilar ways—that is, by "stricken-through type and italics," or by "parallel columns," or by "other appropriate devices," leaving to the imagination what these "devices" may be.

There should be not a mere House rule on this important subject, but a law applicable to bills in either House or Senate commanding that the matter to be stricken out shall be printed with a line drawn through it, and that the new matter shall be printed in italics. That is all that is necessary, and it has long worked perfectly in actual practice in Wisconsin and other States.

I trust the gentleman from Iowa will consent to such an amendment to the proposed rule, because there could not then be the slightest objection to it except that it does not, can not, apply to Senate bills. But if the rule is to leave it discretionary with committees to report amendments in either of three different ways it will not meet the situation.

Mr. MICHENER. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. MICHENER. In view of the fact that we have some bills like the Judicial Code, should not there be some leeway?

Mr. COOPER of Wisconsin. In reference to the suggestion made by the gentleman from Michigan, I will say that in the original copy of my bill there was a clause expressly excepting from its provisions bills for a general revision of the laws (the Judicial Code), but it was inadvertently omitted from the copy introduced in the House.

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

Mr. SNELL. Mr. Speaker, I yield the gentleman three minutes more.

Mr. COOPER of Wisconsin. That exception is in the statutes of Wisconsin, and I intended to present that identical amendment to the committee having my bill before it.

Mr. MICHENER. I might say that when the matter was before the Committee on Rules, I was of the same opinion. I insisted on this rule being made absolutely definite.

Mr. COOPER of Wisconsin. It ought to be.

Mr. MICHENER. With no leeway, so that all reports would be uniform, so that there could be no question; but after giving the matter mature thought, and applying the theory to the House practice, I feel that it is entirely advisable to pass this resolution allowing some discretion.

Mr. COOPER of Wisconsin. Right there, let me say to the gentleman from Michigan that the statutes of Wisconsin and of other States specifically provide that the law respecting the printing of amendments shall not be applicable to a bill for a general revision of the statutes. Such a revision comes only once in many years. It is always very voluminous and involved, and should be exempted from the provisions of the law governing the printing of amendments.

Mr. MICHENER. For instance, take the Sherman antitrust law. That is a very lengthy statute. Little bills are introduced now and then which affect certain sections of that law, probably two or more. Would the gentleman think it advisable in such a bill to print the entire Sherman antitrust law, which is a large pamphlet?

Mr. COOPER of Wisconsin. I think that anything which would inform the House ought to be printed. A bill should be printed, the parts to be eliminated stricken through, and the amendments printed in italics, so that anybody reading the bill and the report will understand precisely what is intended. Otherwise, you compel an elaborate study and comparison such as it is impossible for the Members of the House to give to the thousands of measures pending before Congress.

Mr. SNELL. Mr. Speaker, practically all of the suggestions that have been made on the floor of the House here to-day relative to these changes in the rules have been considered by the Committee on Rules, and they were considered very carefully. As a matter of fact, in the practical working out of these various matters there are a good many rules that will apply to State legislatures and work out satisfactorily, that will not apply in the National Congress on account of the difference in procedure and the wide application of measures considered. We do not know that this rule is perfect in every respect, and make no such claims, but we think it is a step in the right direction, and is a rule that is in keeping with the desire of a majority of the Members of the House; that is, that we try something along this line. It may be necessary a little later to change or amend this rule, but we think that it is as definite and distinct in its application as we feel like recommending to the House at the present time. I do not know but that some of the suggestions made here to-day will eventually be considered as desirable and be incorporated in the rule, but at the present time, from the careful consideration that we have given it, and it was discussed very carefully for some length of time in the committee, we feel this is as far as we ought to go in recommending to the House at the present time. Intentionally we did not desire to make the rule too drastic at first, and until we knew how it would work out in the everyday procedure of the House.

I yield three minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, the necessity for the adoption of this rule and the mechanical working of the rule, if adopted, have been clearly stated by the gentleman from Iowa

[Mr. RAMSEYER], the author of the amendment to the rule. I think the rule will go a long way in meeting a situation that many Members of the House have recognized heretofore as being very necessary to correct in order to expedite better consideration of bills when amendments are proposed to existing statutes. It is true that the rule might go further in its provisions, as has been suggested by the gentleman from Virginia [Mr. MOORE] and the gentleman from Wisconsin [Mr. COOPER], but it will be noticed from a reading of the proposed change in the rules that quite a large latitude is allowed by way of discretion to the members of a committee as to the method they shall employ in pointing out the changes that are proposed in existing law.

It does not set down any hard and fast rule or iron-bound rule of mechanical printing, so to speak, but gentlemen will observe that it allows alternative methods to be used in the judgment of a committee to set out fairly by these three methods proposed what the existing text of the statute is and what the proposed change is in that statute. This objection was urged to the proposal requiring all bills when introduced to show the changes suggested by the gentleman from Wisconsin, and I think it is rather a sound objection. At each session of the Congress some 15,000 or 20,000 bills are introduced. Many of them involve proposed amendments to existing law. To print them in that way would necessarily very largely increase the cost of printing bills and the time used in preparation. It was thought by the Committee on Rules, as a matter of experiment, I might call it evolution, that at least for the present we should make the requirements relate only to bills actually considered by committees and reported out of the committees to be placed upon the calendars of the House. We thought that would give Members fair opportunity, without having the textbooks of existing law before them, to make an off-hand comparison to see in a practical-sense way what are the proposed changes in existing law.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

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

Mr. SNELL. Mr. Speaker, I yield the gentleman three minutes more.

Mr. BANKHEAD. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. The rule, if adopted in its present form, gives any committee the option to report a suggested amendment in either of three or four different ways, and there will be nothing like uniformity in the reporting of measures by committees. There ought to be an absolute mandatory requirement that every committee in reporting a bill shall report an amendment with the parts to be eliminated stricken through and the proposed amendment in italics.

Then there could not be opportunity for mistake.

Mr. BANKHEAD. Well, I think that suggestion has been answered by the gentleman from Michigan [Mr. MICHENER], and the Committee on Rules candidly confesses to the House it does not recognize this as the last word, probably, on that proposition. But we think for the present at least the committee certainly went a long ways to correct a situation which I think the gentleman realizes ought to have been corrected long ago.

Mr. COOPER of Wisconsin. If the gentleman will allow me to suggest right there, I have seen some very cunning things done in reporting bills, and sometimes 90 per cent of the House deceived as a result of such cunning——

Mr. BANKHEAD. It is for that very purpose we are bringing in this rule.

Mr. COOPER of Wisconsin. If the gentleman will permit, line 14 says that the committee may indicate the amendment through "other appropriate typographical devices." The expression "other appropriate typographical devices" is very ambiguous and may permit the cunning of a Member, if he wishes to exercise it, to so report an amendment as to deceive the ordinary reader.

Mr. BANKHEAD. I am unwilling to admit that any committee of this House would deliberately bring in a bill deliberately conceived for the purpose of deceiving the House and engage in that species of cunning to which the gentleman has referred.

Mr. VESTAL. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. VESTAL. I have thought—of course, I am for this rule; I think it is a step forward; but it seems to me that the rule ought to go a little further, so that the bills reported from a committee, all bills reported from a committee ought to carry the full language of the statute sought to be amended, and the statute as amended, in the bill reported as well as in the report, not in the bill as proposed to the House, but in the bill as reported back to the House for action, and it seems to me that that bill ought to carry the same language the report carries.

Mr. BANKHEAD. I will say if that appeals to the gentleman from Iowa or the chairman of the committee, of course, they can yield for that purpose to offer an amendment, but I do not know they will do so. I would not be inclined to yield further on the subject.

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

Mr. SNELL. Mr. Speaker, only one word. It was not the idea of the Committee on Rules to make this a limited mandatory rule in the beginning. We wanted to work it out so that we can go in the direction that so many Members of the House have expressed a desire at various times. We discussed that very carefully, left it open to a certain amount of discretion, and as soon as we see how this works, if it works in the right direction, we will make a rule perhaps more mandatory. But it was the opinion of the committee, this was as far as we ought to go at the present time.

Mr. DENISON. Will the gentleman yield?

Mr. SNELL. I will.

Mr. DENISON. The gentleman is one of the best parliamentarians and I want to ask him a question for the enlightenment of the rest of us here. This provides three methods. One by stricken-through type and italics, by parallel columns, or other appropriate typographical devices. I want to ask the gentleman from New York, who is to be the judge of the appropriateness of typographical devices?

Mr. SNELL. To begin with, I should leave some discretion to the committee that makes the report, and if it is necessary to make other limitations in order to obtain the cooperation of the committees we can do that at a later time. You must remember this is more or less an experiment.

Mr. DENISON. Suppose a committee brings in a report on a bill using a typographical device which they think is appropriate, and some other Member of the House does not think is appropriate. What can you do about it?

Mr. SNELL. I do not know as we could do anything, and I do not anticipate any serious complications to arise from this. I believe the committees will cooperate and that is all we can ask at present. I have discovered that when amending the rules of the House you have to be very careful and do it by degrees. We want to be sure of our ground so far as we can be at the time, and it will not be a very serious proposition to again amend or cut out this rule, if we find we have made an error in what we have done.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. SNELL. Certainly.

Mr. BLANTON. Will this rule apply to appropriation bills?

Mr. SNELL. It will apply to all bills carrying any legislation. Appropriation bills are not supposed to carry any legislation.

Mr. BLANTON. If so, it will probably put the Committee on Appropriations out of legislative business, would it not?

Mr. SNELL. To a certain extent it may limit it.

Mr. Speaker, I move the previous question.

The previous question was ordered.

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

The resolution was agreed to.

Mr. SNELL. Mr. Speaker, I expected at this time to call up another privileged report from the Committee on Rules, relative to the reference of constitutional amendments. As the chairman of the Committee on the Judiciary, the gentleman from Pennsylvania [Mr. GRAHAM], was unable to be here to-day, I shall not call it up at this time.

Mr. CRISP. Mr. Speaker, I ask unanimous consent to address the House for one minute.

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

There was no objection.

Mr. CRISP. It is to make an inquiry of my friend the chairman of the Committee on Rules with reference to the resolution just passed. I am in favor of it, but I was not in the House at the time the debate took place. I want to ask the gentleman one practical question with reference to it. If a committee should make a report without complying with it, what would be the effect? Would a point of order lie against the report of that committee?

Mr. SNELL. Well, it rather seems to me it would be up to the Speaker to determine that question. There are many rules that are always complied with in each particular.

Mr. CRISP. My inquiry was to bring out what was the intention of the Committee on Rules in that respect, thinking

it would have some bearing on the decision of the Speaker in interpreting the rule in that regard.

Mr. SNELL. I think it would be up to the Speaker to decide that point of order, but at first I would expect he would be fairly liberal in his rulings along this line. It is pretty hard to draw a hard-and-fast rule on this important subject; but we thought we would try this out, and if it does not work in its present form, we will either amend it to meet the conditions that arise or abandon it altogether.

Mr. CRISP. I am in sympathy with the rule.

REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 350.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 350) to provide for the reappointment of Frederic A. Delano and Irwin B. Laughlin as members of the Board of Regents of the Smithsonian Institution

Resolved, etc., That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the terms of Frederic A. Delano, of the city of Washington, and Irwin B. Laughlin, of Pennsylvania, on January 21, 1929, be filled by the reappointment of the present incumbents for the statutory term of six years.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent for the present consideration of this resolution. Is there objection?

Mr. SCHAFER. Reserving the right to object, Mr. Speaker, has this resolution been considered by the committee of the House?

Mr. MOORE of Virginia. Yes; by the Committee on the Library.

Mr. SCHAFER. Has the committee unanimously recommended its passage?

Mr. MOORE of Virginia. Yes.

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

There was no objection.

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

A motion to reconsider the last vote was laid on the table.

MAINTENANCE OF PUBLIC ORDER DURING INAUGURAL CEREMONIES

Mr. ZIHLMAN. Mr. Speaker, I desire to call up House Joint Resolution 386, now on the Union Calendar, relating to the protection of life and property and public safety during the inaugural ceremonies.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution by title.

The Clerk read as follows:

Joint resolution (H. J. Res. 386) to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1929.

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

There was no objection.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That $25,000, or so much thereof as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, is hereby authorized to be appropriated to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District from the 28th of February to the 10th of March, 1929, both inclusive, including the employment of personal services, payment of allowances, traveling expenses, hire of means of transportation, cost of removing and relocating street-car loading platforms, and other incidental expenses in the discretion of the commissioners. Said commissioners are hereby authorized and directed to make all reasonable regulations necessary to secure such preservation of public order and protection of life and property, and to make special regulations respecting the standing, movement, and operating of vehicles of whatever character or kind during said period; and to grant under such conditions as they may impose special licenses to peddlers and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia, and to charge for such privilege such fees as they may deem proper.

Such regulations and licenses shall be in force one week prior to said inauguration, during said inauguration, and one week subsequent thereto, and shall be published in one or more of the daily newspapers published in the District of Columbia, and in such other manner as the commissioners may deem best to acquaint the public with the same; and no penalty prescribed for the violation of any of such regulations shall be enforced until five days after such publication. Any person violating any of such regulations shall be liable for each such offense to a fine not to exceed $100 in the police court of said District, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than 60 days. And the sum of $2,000 or so much thereof as may be necessary, is hereby likewise authorized, to be expended by the Commissioners of the District of Columbia for the construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths, during the period aforesaid, including the employment of personal services.

Mr. LAGUARDIA. Mr. Speaker, I would like to have some information about the resolution. Will the gentleman yield for a question?

Mr. ZIHLMAN. Yes.

Mr. LAGUARDIA. The resolution provides that:

Any person violating any of such regulations shall be liable for each such offense to a fine not to exceed $100 in the police court of said District, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than 60 days.

Does the gentleman have in mind springing a sudden regulalation upon the public so that a person may have absolutely no notice or knowledge of such regulation? The gentleman knows that ignorance of the law is no defense, because a person is presumed to know the law. Is not the gentleman going a little too far?

Mr. ZIHLMAN. I will state to the gentleman that under existing laws, 30 days' notice is required before a police regulation can be put into effect. This resolution removes that limitation so far as regulations governing the inauguration are concerned, but your committee is advised by the commissioners that they intend to publish the regulations relating to the inaugural ceremonies for the information of the public, but the limitation as to 30 days is removed by this resolution. This is a general resolution and it is in the form that has previously been adopted.

Mr. DYER. Is this similar to the resolution which was adopted four years ago?

Mr. ZIHLMAN. I will state to the gentleman that there was no extra appropriation made in 1924, but this is similar to the resolution adopted in 1920.

Mr. LAGUARDIA. Does the gentleman know what regulations were made at that time?

Mr. ZIHLMAN. They had to do, as I recall, with the closing of certain streets and the roping off of certain streets. I can not remember all the regulations, but there were no drastic changes made in existing police regulations, as I recall.

Mr. SNELL. These are nothing more than general regulations to take care of a big crowd.

Mr. ZIHLMAN. That is all the resolution provides for.

Mr. LAGUARDIA. Of course, it sounds more mysterious, I suppose, than it really is or is intended to be, and I suppose it is all right if they have no drastic regulations in mind, so that people who come to Washington to attend the inauguration might find themselves placed in the calaboose for the violation of something they did not know anything about.

Mr. SNELL. The gentleman from New York need not worry about that, because these will be just general regulations.

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

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

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

VOCATIONAL EDUCATION

Mr. SNELL. Mr. Speaker, I call up House Resolution 297, a privileged resolution from the Committee on Rules.

The SPEAKER pro tempore. The gentleman from New York calls up House Resolution 297, which the Clerk will report.

The Clerk read as follows:

House Resolution 297

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 1731, to provide for the further development of vocational education

in the several States. That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by those favoring and opposing the bill, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SNELL. Mr. Speaker, this resolution provides for the consideration of Senate 1731, which has for its purpose the further development of vocational education in the rural communities of the several States of the Union. As the Members of the House well know, the Smith-Hughes Act, which was passed in 1917, I believe, authorized a continuing appropriation of $3,600,000 to be distributed among the various States for the purpose of vocational training in various schools. This fund was to be matched by funds contributed by the several individual States. This bill simply authorizes more money to be used for this same purpose and under the same conditions. At the present time about 29 per cent of the schools are taking advantage of this fund, and there seems to be a demand much larger than we are able to meet on account of the size of the appropriation. There seems to be a general demand, especially in the country districts, that they be allowed to take advantage of these appropriations, and have this vocational education in their schools, while the bill that is before the House at the present time provides for an appropriation of $500,000 and $500,000 each year for 11 years, and then a continuing appropriation for all time of $6,000,000 annually. The chairman of the Committee on Education will offer a committee amendment which will materially reduce that amount and also take out the continuing feature of the appropriation that is carried in the Senate bill. I will say to the Members of the House that this committee amendment is entirely satisfactory to the representatives of the vocational-training proposition.

A committee of that organization, from their convention in Philadelphia last month, came to Washington, and I want to say they are a fine, representative lot of men. I have never met a committee of men who appealed to me as more interested in their work, had a greater desire to cooperate in every way with Congress, and only ask for the things they ought to ask for, than was this committee; and I was very much impressed with the personnel of the committee and the work they are doing. The country districts are especially interested in this vocational educational training, and let me say to the Members of the House that this, in my judgment, is a real farm-relief measure, if anything could be considered as such, because it helps to educate the young boys and girls in the country districts in the questions that arise in the management and conduct of the farm industry. For that reason I believe it is very important and should be considered. As far as I know there is no opposition to this measure. It comes as a unanimous report from the Committee on Education and also from the Rules Committee. Unless there is some specific question, Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

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

The resolution was agreed to.

Mr. REED of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate bill 1731, to provide for the further development of vocational education in the several States and Territories. Pending that motion, I would like to ask if there is any opposition to the bill.

Mr. SCHAFER. I will say to the gentleman from New York that there might be some opposition to the amendment that is to be offered.

Mr. REED of New York. I wanted to know if there was any opposition to the bill.

Mr. GARRETT of Tennessee. How much time does the rule provide?

The SPEAKER pro tempore. Two hours; one hour on the side.

Mr. GARRETT of Tennessee. The gentleman from Georgia [Mr. TARVER] has an amendment he desires to offer. Perhaps he would like to control a little time in his own right.

Mr. TARVER. No, Mr. Speaker; I have had a conference with the chairman of the committee and he has agreed to give me such time as I may desire.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that one hour of the time of general debate may be controlled by the chairman of the committee and one hour by the ranking Member on the Democratic side [Mr. LOWREY].

The SPEAKER pro tempore. Pending the motion, the gentleman from New York asks unanimous consent that the time be controlled one-half by himself and one-half by the gentleman from Mississippi [Mr. LOWREY]. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1731, with Mr. MAPES in the chair.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of providing for the further development of vocational education in the several States and Territories there is hereby authorized to be appropriated for the fiscal year ending June 30, 1929, the sum of $500,000, and for each year thereafter, for 11 years, a sum exceeding by $500,000, the sum appropriated for each preceding year, and annually thereafter there is permanently authorized to be appropriated for each year the sum of $6,000,000. One-half of such sums shall be allotted to the States and Territories in the proportion that their farm population bears to the total farm population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors of agricultural subjects in such States and Territories. The remaining half of such sums shall be allotted to the States and Territories in the proportion that their rural population bears to the total rural population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors, development and improvement of home economics subjects in such States and Territories.

SEC. 2. For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated to the Federal Board for Vocational Education out of any money in the Treasury not otherwise appropriated, the sum of $100,000 annually to be expended for the same purposes and in the same manner as provided in section 7 of the act approved February 23, 1917, as amended October 6, 1917.

SEC. 3. The appropriations made by this act shall be in addition to, and shall be subject to the same conditions and limitations as, the appropriations made by the act entitled "An act to provide for the promotion of vocational education; to provide cooperation with the States in the promotion of such education in agriculture and in the trades and industries; to provide cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures," approved February 23, 1917, except that the appropriation made by this act for home economics shall be subject to the conditions and limitations applicable to the appropriation for agricultural purposes under such act of February 23, 1917, with the exception of that part of section 10 thereof which requires directed or supervised practice for at least six months per year, and that the appropriations available to the Federal Board of Vocational Education for salaries and expenses shall be available for expenses of attendance at meetings of educational associations and other organizations, which, in the opinion of the board, are necessary for the efficient discharge of its responsibilities.

Mr. REED of New York. Mr. Chairman, I yield myself five minutes.

Mr. Chairman and gentlemen of the committee, I think every Member in the House of Representatives is fairly familiar with the work that has been done during the last few years, or since 1917, under the Smith-Hughes Act.

This bill does not change the work at all. This bill simply proposes to carry the work that is now being done throughout the country along the lines of agricultural vocational training and home economics into those communities that want the service and can not obtain it on account of lack of Federal funds.

I want to state at the outset that I shall offer some amendments. This bill was introduced in the first instance by the gentleman from Pennsylvania [Mr. MENGES]. Mr. MENGES deserves the credit for any merit there may be in this bill, but in order to have it properly drafted and to meet certain situations it was reported out as a committee bill under my name.

We tried to get a rule at the last session. There were quite a number of the men in the House who thought then and who think now that the original bill carried too large an appropriation; that is, carried an appropriation over too many years.

The Senate bill provides that there shall be an appropriation of $500,000 the first year, which shall be increased by $500,000 the next year and each year thereafter for 11 years, until the appropriation reaches $6,000,000 a year, and then it is to be a permanent appropriation of $6,000,000 a year. In order to have consideration of the bill at this time, and to meet a very serious situation so ably outlined by the chairman of the Rules Committee, the leaders in vocational work in the various States

were called in to obtain their views. The matter was discussed with them, and an agreement was made to provide that the appropriation should continue for five years, that the first appropriation should be available for the year 1930 instead of 1929.

The reason we have adopted the Senate bill is because, inadvertently, in reporting out the House bill, the word "Territories" was omitted. This is included in the Senate bill.

The only changes in the bill which will be brought about by the amendments which I plan to offer are, first, to change the fiscal year in which the appropriation of $500,000 will become available to 1930 instead of 1929; second, to carry the appropriation for a period of five years instead of 11 years. At the end of five years it will be necessary, if more money is needed to carry on the work, to come back for a new authorization.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. LAGUARDIA. Will the gentleman give us just a brief description of how these funds are obtainable by the various schools and just what instruction is imparted in the expenditure of the funds?

Mr. REED of New York. Yes. When a local school desires to set up a school in a certain community different rules prevail in different States. Some of the high schools will have 10 boys who will want to take vocational work, or 15 or 25 boys. They may establish a rule in a certain State or locality, for instance, that if 10 boys or girls in the school desire vocational education, then the next thing is to start the department with a trained teacher. They make application to their State board of education for one of the trained teachers in vocational agriculture. The teacher goes there and takes hold of that class. The work involves six months' practical work on the farm; that is, the boy has to work with his father, supervised to a certain extent by the vocational teacher.

In answering the question I want to read just a little excerpt from a statement which was made to us by Doctor Lane at the hearings. I am very glad the gentleman from New York has asked the question, because it is a very practical one. Here is what Doctor Lane says:

> Every boy who elects to take the vocational work as part of his high-school education is required to carry on for at least six months at home some definite, practical work under the supervision of his teacher. Now, that means an economic return on the part of the boys in the production of livestock or crops or some other work around a farm.
>
> The total labor income from this practical work during the past five years was $23,637,924.25. This is not an estimate. It is based upon accurate cost accounting. For every dollar of Federal funds spent for vocational agriculture there was a financial return of $2.25 realized by the boys from their labor. The total Federal fund spent for salaries of teachers of vocational agriculture during the 5-year period was $10,418,460, and there was realized $23,637,924.25 from the practical work the boys did.

This is the character of the work.

The curriculum adopted in the various States and in the different localities is to meet the local situation. For instance, over in my district they have an agricultural school. The curriculum of the school is based upon the farm business in that locality, training them along that line. They are working with their fathers in harmony with the prevailing farm activities in that community.

Mr. LAGUARDIA. Then this fund provides additional teachers or is the money paid over to the school board?

Mr. REED of New York. No; every cent of this money is used for teachers.

Mr. LAGUARDIA. For teachers?

Mr. REED of New York. To provide the teachers for these schools throughout the country.

Mr. LAGUARDIA. Who selects the teachers?

Mr. REED of New York. The State board of education or the local community, exactly the same as they would select any other teacher.

Mr. SCHAFER. Will the gentleman yield?

Mr. REED of New York. I will.

Mr. SCHAFER. Does Federal money pay the entire salaries of the teachers?

Mr. REED of New York. No; it varies in the different States. It is controlled by the States. In some States the community will pay one-third, the county may pay one-third, the town may pay one-third, or the city one-third, as the case may be. The State pays 50 per cent, and so on. That is all worked out by the State in cooperation with the Federal board.

Mr. COLE of Iowa. How many pupils do they have for one teacher?

Mr. REED of New York. That is left to the State board of education—in some cases we have 10, some 25, and so on.

Mr. COLE of Iowa. They might multiply the teachers indefinitely—get up a little group and get a teacher.

Mr. REED of New York. All the Federal Government has to do is to pay the sum over to the particular State and the State matches it, and then does as it pleases.

Mr. MILLER. Will the gentleman yield?

Mr. REED of New York. I will.

Mr. MILLER. Do these teachers come from the graduates of the various agricultural colleges?

Mr. REED of New York. In many cases they do.

Mr. HALL of Indiana. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. HALL of Indiana. What about the use of this money as to its being divided between the larger cities and schools rather than the rural schools?

Mr. REED of New York. This will all be used for the rural schools.

Mr. HALL of Indiana. I wonder if there is any thought of liberalizing the rules of the educational board so that it will make it possible for the smaller schools to have this benefit? I happen to know that under the present rule it eliminates most of the smaller schools in the participation of this money. So the larger amount goes to the city schools.

Mr. REED of New York. The gentleman is speaking about the vocational schools in trades and industry.

Mr. HALL of Indiana. The gentleman thinks that there will be some loosening up of the rules?

Mr. REED of New York. No question about it. Now I want to give you a practical illustration. Here is the statement made by the State of Georgia. Of course what applies there will apply to most of the other States. Gentlemen know that a great many farms are being abandoned throughout the country.

The census of 1925 showed 61,000 fewer farms in operation in Georgia than when the 1920 census was taken. The Census Bureau took notice of the fact that in certain counties in the State of Georgia there was no marked decrease in the number of abandoned farms and wrote to the agricultural college in Georgia to ascertain the reason. The reply was that the only way they knew to account for it was that these counties were more adequately served with teachers of vocational agriculture.

Mr. ARENTZ. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. ARENTZ. I think the bill recognizes the necessity of keeping the boy on the farm. The boy will not stay on the farm unless he has some hope of financial success. You teach the boy the way to raise livestock so that he can turn out a beef in 9 or 10 months and get the highest price for it that is possible, how to feed the animal, how to raise all kinds of crops that can be raised in his section, and if he can be assured of financial success he is going to stay on the farm—if this bill can teach the boys and the girls of the farm that there is something else besides worry and work, dirt and deficit, and give them hope of having the kind of a home they envision through their vocational work, you are going to keep them on the farm.

Agriculture forms the very foundation of our country. The onward march of this wonderful country depends, my friends, upon the advancement, the success, the contentment of the farmers of America. This bill has this purpose in view. It furthers the benefits of the Smith-Hughes Act, which has from its passage performed a real help to agriculture through vocational training of the boys and girls of the farm. [Applause.]

Mr. BRIGHAM. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. BRIGHAM. What provision is made for industrial training?

Mr. REED of New York. That work is going on now with a continuing appropriation.

Mr. BRIGHAM. What is the appropriation?

Mr. REED of New York. Three million dollars for trades and industry and $3,000,000 for agriculture.

Mr. HASTINGS. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. HASTINGS. Do all of the States avail themselves of this appropriation and use the full amount allocated?

Mr. REED of New York. Practically all of them.

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

Mr. REED of New York. I yield myself three minutes more. Now, let me cover something here. You are all interested in the bill as well as your people back home, because this work has been going on in every community.

Now, this statement comes from a man whom you know:

It seems that after the agricultural vocational work had been in operation about five years a study was made to ascertain what became of the boys who had taken the vocational work. This survey of 8,000 boys that had taken one or more years of vocational agricultural instruction disclosed that 59 per cent of them were actually farming, 6 per cent were engaged in related occupations, 9 per cent in agricultural colleges, 15 per cent went to other colleges, and 11 per cent were in nonagricultural occupations.

Another survey has just been made covering the 5-year period ending in 1927. This 5-year record also shows 59 per cent actually engaged in farming, 9 per cent in related occupations, and only 2 per cent going to agricultural colleges.

A survey was made two years ago of the school system in New York State which included the persons who had attended the agricultural vocational course. This survey showed that 72 per cent of the boys who had been enrolled in courses of agriculture were either farming or attended a college of agriculture.

To show the growth of this work, when this law was passed there was a student body in vocational education of 25,000. The enrollment now is 1,000,000, showing an increase of 4,000 per cent in 11 years.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. ROBSION of Kentucky. I am a member of the gentleman's committee and favor this measure. I should like the gentleman to tell us, if he has not already done so, the organization that covers the country generally that made a study of this problem and that is urging the legislation.

Mr. REED of New York. The American Vocational Association, of course, has indorsed it in convention in every part of the land.

Mr. MOORE of Virginia. And the Department of Agriculture has strongly indorsed this bill.

Mr. REED of New York. Yes; and the head of the Department of Commerce, the head of the Department of Labor, and the Secretary of Agriculture. It has been indorsed by many farm organizations throughout the United States.

Mr. ROBSION of Kentucky. And by those in charge of the public schools of the country?

Mr. REED of New York. Yes. It has a practically unanimous indorsement all along the line. I did not want to clutter up the RECORD with telegrams from industries and people in many lines of business activities.

Mr. PEERY. And no opposition has developed on the part of any of the States to this legislation?

Mr. REED of New York. Not at all.

Mr. PEERY. The department of instruction in Virginia is very much in favor of the bill.

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

Mr. REED of New York. Yes.

Mr. COCHRAN of Missouri. Taking all the gentleman has said for granted, can he advance any good reason why the States which seem to be so much interested in this legislation can not carry it on themselves, without coming to the Federal Government for aid?

Mr. REED of New York. The best answer to that is that the States are now putting up $2.65 for every dollar that they get from the Federal Government, and they apparently like this way of handling the matter.

Mr. COCHRAN of Missouri. I am opposed to the principle of Federal aid. I feel that if the States can carry on an activity, then the States should carry it on and not come to the Federal Government for assistance.

Mr. LEAVITT. And is it not necessary in a movement of this kind of national value, where we desire it to be national in extent, that it have some national impetus behind it to start it and carry it on?

Mr. REED of New York. Yes; and that is what did start it, and that is what is carrying it along.

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

Mr. REED of New York. At the suggestion of several gentlemen on the floor I ask unanimous consent to incorporate as a part of my remarks a list of the States and the number of schools receiving Federal aid for vocational education.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to is as follows:

Schools receiving Federal aid for agriculture, 1927–28

	White	Colored
Alabama	87	20
Arizona	18	
Arkansas	59	28
California	93	
Colorado	51	
Connecticut	14	
Delaware	10	
Florida	43	7
Georgia	100	40
Idaho	22	
Illinois	182	
Indiana	137	
Iowa	109	
Kansas	97	2
Kentucky	97	6
Louisiana	43	46
Maine	20	
Maryland	34	1
Massachusetts	17	
Michigan	135	
Minnesota	50	
Mississippi	121	42
Missouri	120	1
Montana	25	
Nebraska	56	
Nevada	6	
New Hampshire	13	
New Jersey	30	1
New Mexico	19	
New York	97	
North Carolina	110	25
North Dakota	39	
Ohio	196	
Oklahoma	41	14
Oregon	30	
Pennsylvania	87	1
Rhode Island	5	
South Carolina	135	55
South Dakota	29	
Tennessee	116	22
Texas	167	65
Utah	26	
Vermont	5	
Virginia	106	21
Washington	42	
West Virginia	47	2
Wisconsin	79	
Wyoming	27	
Total	3,192	399

Expenditure of Federal, State, and local money for vocational agricultural education, by years, 1918 to 1927

	Amount of expenditure				
	Total	From Federal money	From State and local money		
			Total	State	Local
1927	$7,469,295.39	$2,801,591.57	$4,667,703.82	$1,509,065.78	$3,158,638.04
1926	7,164,460.46	2,656,886.13	4,507,574.33	1,571,426.97	2,936,147.36
1925	6,146,124.01	2,262,542.88	3,883,581.13	1,370,964.90	2,512,616.23
1924	5,253,912.86	1,897,807.50	3,356,105.36	1,203,486.62	2,152,618.74
1923	4,647,042.04	1,669,698.75	2,977,343.29	1,108,461.22	1,868,882.07
1922	4,058,440.36	1,435,475.22	2,622,965.14	1,039,487.89	1,583,477.25
1921	3,393,088.21	1,192,131.17	2,200,957.04	968,674.16	1,232,282.88
1920	2,437,286.06	889,886.29	1,547,399.77	678,824.43	868,575.34
1919	1,413,938.49	528,679.13	885,259.36	399,982.80	485,276.56
1918	739,933.27	273,282.08	466,651.19	220,713.98	245,937.21

Percentage of Federal money expended for salaries of teachers of vocational agriculture in colored schools

	Rural population (1920 census)			Federal money expended for salaries of teachers in vocational agricultural schools during the fiscal year 1927		
	Total	Negro	Percentage of negro	Total	Negro	Percentage expended in negro schools
Alabama	1,838,857	703,819	38.3	$96,448.29	$11,327.64	11.7
Arkansas	1,461,707	398,628	27.3	81,827.62	15,115.00	18.5
Delaware	102,236	17,343	17.0	7,589.57		
Florida	612,645	208,891	34.1	31,981.25	(1)	(1)
Georgia	2,167,973	933,329	43.1	120,785.44	24,421.74	20.2
Kentucky	1,783,087	130,545	7.3	91,769.43	4,040.00	4.4
Louisiana	1,170,346	509,844	43.6	54,358.48	14,483.00	26.6
Maryland	580,239	119,970	20.7	26,756.23	241.67	.9
Mississippi	1,550,497	836,558	54.0	85,089.81	12,715.83	5.0
Missouri	1,817,152	44,074	2.4	106,049.56	750.00	.7
Oklahoma	1,488,803	101,504	6.8	69,974.43	7,071.45	10.1
North Carolina	2,068,753	608,242	29.4	120,127.50	15,190.00	12.6
South Carolina	1,389,737	748,230	53.8	78,124.73	9,173.73	11.7
Tennessee	1,726,659	281,294	16.3	97,520.92	9,992.85	10.2
Texas	3,150,539	518,321	16.5	170,515.08	20,864.00	12.2
Virginia	1,635,203	480,883	29.4	93,558.38	10,512.57	11.2
West Virginia	1,094,694	63,861	5.8	41,435.07	1,624.99	3.9

(1) Data not available.

Mr. LOWREY. Mr. Chairman, I yield three minutes to the gentleman from Florida [Mr. YON].

Mr. YON. Mr. Chairman, and ladies and gentlemen of the committee, I did not know that we would have this bill under consideration this morning. It is of very striking interest to me at this time. As my mail came in this morning I found a letter from a widow in my district who is trying to raise her boy and to get him into this demonstration work in agriculture. She is making a plea in respect to the necessity for raising money to finish his high schooling. It is very gratifying to come into the House at a time like this and observe the House considering a measure that will give to the youth of the rural sections of the country a greater opportunity to develop the natural resources of the rural sections and also build up a better citizenship, more intelligent, more enlightened, and which will provide a better opportunity than the farmers of our day and of days gone by ever enjoyed.

Of course we are all in favor of the bill. I had no idea of saying a word when I came into the Chamber, but my good friend, the gentleman from Mississippi [Mr. LOWREY] said that it seemed nobody wanted to talk on a subject like this, and it seemed such a good subject that I felt I should say a few words in its favor. There is nothing that I enjoy more in my legislative work and in working among the people back home than to work with the boys and girls of the 4-H Clubs. They are doing a great work and a good service, and I heartily indorse the appropriation of any amount of money that can be added to that already made available for this great purpose.

Mr. LOWREY. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, ladies, and gentlemen, the success of the Smith-Hughes Act has far exceeded the expectation of the Members of Congress at the time of its enactment in 1917. This success has been marvelous in one sense of the word. As was said by the gentleman from New York [Mr. SNELL] this is farm-relief legislation in one sense of the word. I agree with him. The preparation and the effort given by means of this legislation to the young men and young women of the farms of the country are wonderful in their effect and influence on their future life. It prepares them for better methods of farming, causes them to take a renewed interest in agriculture, and causes them to remain upon the farms instead of going to the cities. It has created a sentiment in favor of real agricultural education. The sentiment created by means of this law is something like the sentiment in favor of better roads as a result of national aid to roads. National aid to roads and the coming of automobiles, trucks, and other motor vehicles have done more to create a better sentiment for good highways in the country than any other two things. I believe that the workings of this legislation are doing more to increase the sentiment in favor of real agricultural education than any other piece of legislation that has ever been enacted by Congress. The working of the law during the past 10 years shows there is a very great need and a real necessity for an increased appropriation in order to accomplish what was intended by the original act. That is the purpose of this bill.

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. ALMON. I will.

Mr. MOORE of Virginia. The gentleman just stated the main purpose of the legislation is to increase the appropriation. Now, in the Smith-Hughes Act continuing appropriations were authorized, but, as I understand, no time limit on that authority is expressed in that act.

Mr. ALMON. That is true. There is no opposition to the bill. It comes with a favorable report from the Committee on Education, and I simply wanted to take this opportunity to say that I supported and voted for the Smith-Hughes law in 1917 and am heartily in favor of this bill and will vote for it. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MENGES].

Mr. MENGES. Mr. Chairman and Members of the committee, my motive in introducing this bill in the House was brought about because of the agricultural conditions which are discussed before the Committee on Agriculture every day. This is national legislation which I feel is required. I believe in a trained agriculture because of the absolute necessity for the farmer to be acquainted with changing conditions which are continually confronting him. Take for example the corn borer. We passed a bill here in the House not very long ago appropriating $10,000,000 for the purpose of eradicating the corn borer. Well, we can appropriate $100,000,000 and we will never eradicate the corn borer. The corn borer is here to stay. I say he is here to stay, and the man who will have to cope with the corn borer is the farmer. The Agricultural Department can give the farmer some instructions as to how to curb that curse, but so far as eradication is concerned that is out of the question. Now, I use this as an illustration as one insect that is going to invade the corn belt of the United States and remain there. Now what can be done? The thing to do is to establish agricultural operations of such a character that the corn borer can not thrive. That is the thing to do, and in order to do it we must be acquainted with the life history of the corn borer. In what stage of its development and when does it do the most damage? The department knows that the corn borer does the greatest amount of damage in the larval stage. The moth lays the egg on the cornstalk. A small larva hatches from the egg and proceeds to devour the cornstalk. It has spent the time of incubation on the cornstalk. In order to kill the larvæ and destroy the eggs we must plow under or burn up or cut into feed, such as silage, the cornstalk.

Now we must arrange our agricultural operations in such a way that we can take advantage of these processes to get rid of the corn borer. That is what will happen in the Corn Belt of the United States and the farmer, to inagurate these agricultural operations, must be trained. Take another insect. Over here in Pennsylvania where I come from we have an insect that is known as the angoumois moth. Its eggs are laid in the head of the wheat just as it is emerging from the stalk. The larva hatches from the egg and gets into the wheat grain and develops there, and if the grain is stored without putting a poison into it to kill the larva, by the time you have held the grain in the bin say, three, four, or six weeks, it will be absolutely worthless except for feed because the larva will hollow out the whole grain. Now we must curb the activities of that insect, the angoumois moth. What can we do? As soon as the wheat is dry enough after harvesting we thresh it and store it in bins and fumigate it with bisulphide of carbon and kill the moths.

Now there is another factor to be considered, and that is the economic side. I believe in a trained agriculture, and I am in favor of agricultural relief. I voted for it every time I got a chance. I think I am one of a few from the Eastern States who does that and who is not afraid to say so.

Mr. HUGHES. From what county in Pennsylvania are you from?

Mr. MENGES. York County.

Mr. HUGHES. Is that a farming county?

Mr. MENGES. It is one of the best and richest farming counties in the United States, and some of the best farmers that ever lived live there

Mr. HUGHES. And you are speaking from experience?

Mr. MENGES. Yes. I am a dirt farmer, and I know exactly what I am talking about.

Mr. LOWREY. Are your farmers in that splendid Pennsylvania county making any money now in farming, or are they falling short financially?

Mr. MENGES. They are falling short. I am one of them.

Mr. LOWREY. I wish you would bring that out.

Mr. MENGES. I will be glad to.

Mr. ALMON. Will you tell us something of the workings of the vocational schools in your part of the country under the Smith-Lever law?

Mr. MENGES. The work that is done in my section is among the best that we have. We have now in my section young fellows who started out farming and who had exhibits at the annual show at Harrisburg, and have taken the championship prize for corn production, quality and quantity, of the Eastern States.

Mr. ALMON. Men who have attended these vocational schools?

Mr. MENGES. Yes; men who have taken advantage of this training, although we did not have vocational schools when they went to school. But they have taken advantage of the training offered by our agricultural school at the State college.

Mr. HASTINGS. I understand the various amounts allocated to the various States are paid over to the States, and the State authorities themselves distribute them?

Mr. MENGES. Yes. That is right. That is my idea.

Mr. HASTINGS. It is entirely under State distribution?

Mr. MENGES. Yes. That was the idea that I had in mind when I introduced the bill. I want the National Government to help to pay for the education and training of farmers who have to deal with national questions.

Mr. HASTINGS. Then this bill does not change the method of distribution used heretofore?

Mr. MENGES. Not as I see it.

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

Mr. REED of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. TARVER].

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

Mr. TARVER. Mr. Chairman and members of the committee, as a member of the Committee on Education which had before it for consideration this bill, introduced in the other body by the distinguished junior Senator from Georgia, and having heard the evidence submitted to that committee, which justified the legislation in the form in which it was reported from the committee, I am very earnestly in favor of the bill in that form and am not able to understand the advisability of the adoption of the amendments, the effect of which would be to reduce the appropriation authorized to a mere fraction of what it was in the form in which the bill passed the Senate and in which it was reported from the committee.

However, it is not that question that I desire to discuss before the Committee of the Whole. I am going to vote for the bill either with or without the amendments. I am going on the theory that half a loaf is better than no bread, although in this instance it is not even half a loaf.

But I want to direct your attention during the brief time I have allotted to me to an amendment which I intend to offer to this bill. I believe I have a proposition here which merits your consideration, and I ask for your attention while I undertake to explain it to you.

This bill provides as follows:

The appropriation made by this act shall be in addition to and shall be subject to the same conditions and limitations as the appropriation made by the act entitled "An act to provide for the promotion of vocational education"—

And so forth. That is the Smith-Hughes Act. The Smith-Hughes Act made this provision:

That for every dollar of Federal money so expended the State or local community or board shall spend an equal amount for the maintenance of such training.

In other words, the method of distribution provided under the original Smith-Hughes law and under this bill is that the Federal appropriation shall be matched either by appropriations from the State or from the local community.

Now, my amendment is directed to the matching proposition. I am not opposed, of course, to the matching provision. I realize that is the basic principle of all legislation of this character, but I am opposed to the proposition that the matching may be done by local communities, and I will undertake to explain to you why that is true.

According to the twelfth annual report of the Federal Board for Vocational Education, which I hold in my hand, 35 of the 48 States of the Union failed to appropriate enough money during the fiscal year ending June 30, 1928, to match the Federal appropriation. We will take, for instance, the State of Georgia, my own State. The Federal appropriation was $194,569.14, the State appropriation was only $118,904.53, while local communities furnished $110,071.87.

Now what does that mean? It means that the Georgia State Board for Vocational Education, when the State failed to appropriate enough money to match the Federal fund, was reduced to the necessity of going to the communities of the State which were able to match the Federal fund and procuring from them funds with which the matching might be done. Thus the funds went to the more prosperous communities. In other words, they exemplified too literal an interpretation of the scriptural quotation:

To him that hath shall be given, and from him that hath not shall be taken away, even that which he hath.

Those districts of the State which were not financially able to contribute, where property values were low, where they were not able by local taxation to raise enough money for their educational purposes, and where therefore the need was the greatest—those districts were not able to obtain Federal aid for vocational education, but those districts of the State which were able financially to meet the Federal fund and to match it were given aid. I submit that is an unjust proposition, and I intend to substantiate what I have said concerning it by reading to you from the hearings before the Committee on Education. This is from the statement made by the Chief of the Agricultural Service, Federal Board for Vocational Education, and the Georgia director for vocational education, Mr. Chapman:

Doctor LANE. Mr. Chairman and gentlemen of the committee, I do not know whether my time could be spent more profitably by telling you more about what this work is than by you asking me questions. This chart you see on the wall here [indicating] is interesting because when the Smith-Hughes Act was passed in 1917 that chart was clean of red pins. Each red pin you see there represents a vocational agricultural department in a local high school.

Mr. TARVER. I notice in my own State of Georgia that in the northeastern section of the State there appear perhaps 100 pins around the locality of Athens, where the Georgia State Board for Vocational Training is located. The remainder of the State is very sparsely studded. In my own congressional district, which is in the northwestern corner of the State, I notice but one or two pins. May I inquire, Doctor, why so many vocational teachers should be located in the territory surrounding Athens and why there are so few scattered around over the remainder of the State?

Doctor LANE. I should like to call on Mr. Chapman, who is the director of the work in Georgia, to answer that question.

Mr. CHAPMAN. Mr. Chairman and gentlemen of the committee, I am very glad to have an opportunity to explain why that condition exists. That is a further example of the authority that is vested in the local community in the development of this work. The Smith-Hughes Act, which was passed in 1917, stated that this money must be matched by State or by local funds. Until quite recently the State of Georgia did not match these funds from State appropriations, and in the development of this work we had to depend upon local communities quite largely to finance the work. The schools were selected on the basis of applications that came to the State board for vocational education through the local school officials, and we took care of those applications somewhat in the order in which they were received; and I would like to say that, unfortunately, I feel that this is a case, that very often this work was put in the communities that were best able to finance it rather than the communities that, perhaps, needed the work most.

Mr. TARVER. Mr. Chapman, at that point, if you will permit an interruption, would not that condition be obviated in the event this bill is passed and an amendment should be incorporated in the bill which would provide that instead of these Federal funds being matched by subdivisions of the State or by local school districts, or other subdivisions of the State, they should be matched by the State as a whole and the matter of the use of the funds of the State should be left entirely to the State boards for vocational education, so that they might use those funds in districts having the greatest need for this work, although those districts were not financially able to put up the funds to match the Federal funds?

Mr. CHAPMAN. Yes, sir; that could be done, and I might give you an example of the way this work has been administered in the State of Arkansas. Each State has its own plan for conducting this work, and each plan has its own basis of subsidizing or aiding the local communities where this work is carried on. In the State of Arkansas the State matched the entire agricultural fund that was provided under the Smith-Hughes Act, and they felt that since most of their communities in Arkansas were not able to finance the instruction themselves that it would be desirable for them to pay the entire salary of the agricultural teacher, and that is what they did; and the State board followed the same suggestion that was made by Judge TARVER in regard to the distribution of these schools. If we had decided, however, that that would have been the best thing to have done in Georgia, we would not have been able to do it, because the State until recently did not match any considerable portion of the Smith-Hughes fund.

Mr. TARVER. If, on the other hand, the State was not permitted to have subdivisions to match the fund, and the State found it necessary in order to get this money to match it themselves, don't you think the appropriation necessary would be easily obtained in Georgia?

Mr. CHAPMAN. I am confident it would be obtained without any difficulty.

Mr. HUDSPETH. Will the gentleman yield?

Mr. TARVER. Yes.

Mr. HUDSPETH. If I understand the gentleman's position, if the local communities did not contribute and your State did not make any appropriation, you would not get a dollar of this fund.

Mr. TARVER. The gentleman does not understand my position, but if he will wait I think he will understand it.

Mr. HUDSPETH. I thought I understood the gentleman.

Mr. TARVER. No; the gentleman does not as yet. I have not developed my proposal.

Now, it is interesting to note in this connection that upon that map, studded with red pins, indicating the location of agricultural instructors, aided by Federal appropriations, there were 308 pins in the State of Georgia and that only 2 of those were located in my own congressional district. There are 12 congressional districts in the State. The director of that State for vocational education attempted to explain it by saying they found it necessary to put the work in the communities that were able to meet the Federal funds rather than in those where

Federal aid was needed the most. That may be one reason, but it is not, I am sure, all of the reasons which exist for distributing the vocational instructors in that way. My district compares favorably in material welfare and prosperity with other districts of my State.

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

Mr. LOWREY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. TARVER. I have not gotten down to the proposition I intended to submit to the House as yet, and that is this, that the bill be amended so as to provide that the Federal aid shall be matched by the State as a whole and to cut out the provision relating to matching by local communities. I am not asking that as to the existing law. Let the $6,000,000 you are paying out under the old law now go as it has been going, but so far as this small additional appropriation is concerned, of a half million dollars a year for five years and at the end of that time totaling $2,500,000, let it go to those districts of the country which stand greatest in need of help of this character. There is no question but that if you provided that it should be matched by the States it would be matched by the States. I am going to offer an amendment providing that the funds shall be matched by the States and shall be used by the State boards for vocational education in those districts of the States standing in greatest need of aid, whether they are able to match the funds or not.

Gentlemen, will you let some of this money go to those sections of our country where poverty is? Will you let some of it go to the places where the direst need exists for educational opportunities, or will you insist that it continue to go as it has been going in large part in every part of this country, to communities that already have the means to take care of their own educational problems? Remember that in the remote rural sections of the United States there are boys and girls to-day whose intelligence, whose character, and whose qualities of manhood and womanhood compare favorably with those located in any other part of this great country of ours. Are you going to carry the help of vocational education to them, or are you going to say that it all must go to those who already have that material prosperity by which they can provide their own educational opportunities?

If you provide that only communities able to match the Federal fund shall get help, that is the effect of it.

This condition as to Georgia is not local to that State. As I said in opening my remarks, it exists in 35 States of the Union, according to the report which I held in my hand a moment ago and which lies here. Thirty-five of the 48 States of the Union failed to appropriate enough money to meet the Federal appropriation and that deficit is supplied by the local communities. I gave Georgia as an example because I am familiar with conditions as they exist in that State and I like to try to talk about things when I do talk that I think I know something about.

When this bill is read under the 5-minute rule I intend to offer this amendment. In my judgment it is a just amendment. In my judgment it is an amendment which ought to appeal to the mind and to the heart of every man who wants to do justly by the population of the remote rural sections of this country, and I ask, gentlemen, that you give it conscientious, serious consideration.

Of course, I shall be satisfied with your judgment whatever it may be, but I hope it may be that the children of these sections which are not now having any educational opportunity along this line, and will not under the present system, may be afforded some small chance by the adoption of this amendment to the proposed legislation. [Applause.]

Mr. LOWREY. Mr. Chairman, I yield to the gentleman from Georgia [Mr. BRAND], trusting him as to how much time he will use.

Mr. BRAND of Georgia. Mr. Chairman and gentlemen, I want to say in the first place that I do not understand in what manner the director of the vocational board could determine as to what sections of any particular State needs this money more than others. I do not care to take issue with Judge TARVER in regard to what he says about the people of his district, which is in the northwestern portion of the State, not having received and will not receive the benefit of this fund, but he must not forget that within 100 miles of Athens, where I live and where the director lives, there are poor people there who likewise need their portion of this appropriation. I call the gentleman's attention to the fact that Athens is the seat of learning of the State of Georgia. [Applause.]

It has the oldest established-by-law university in the United States. The State normal school is located there. The State agricultural college is also located there, rated as about fifth among the best colleges of its character in the United States. Besides these three State institutions of learning the city of Athens has one of the best high schools in the State. There is an agricultural college at Monroe and an agricultural college at Madison, each within 20 miles of Athens, and both in my congressional district. I think that the fact that more boys and girls take advantage of this vocational fund in my district than in the district my friend Judge TARVER has the honor to represent is due not to any discrimination on the part of the director, Mr. Chapman, in the distribution of this fund, but partly to the fact that Athens is the center of learning of Georgia, but also to the further fact that the parents in the rural sections of my district and the boys and girls themselves first had knowledge and likely became more familiar with this vocational proposition than the people in the remote sections of the State. [Applause.]

The bill as originally introduced by Senator GEORGE and as it passed the Senate provided for the further development of vocational education in the several States and Territories and authorized to be appropriated for the fiscal year ending June 30, 1929, the sum of $500,000 and for each year thereafter for 11 years a sum exceeding by $500,000 the sum appropriated for each preceding year. Annually thereafter there is a provision contained in the bill for a permanent authorization for an appropriation for each year the sum of $6,000,000.

My understanding is when President Coolidge received information of the passage of this bill he protested against the appropriation, or the authorization of an appropriation for the period of 11 years. Under the presidential duress put into motion, we were given to understand that the bill should be amended, reducing the period of the appropriations from 11 years to 4 years, otherwise the bill would not become a law.

The "economy" question of the White House becomes very material when the beneficiaries of an appropriation are residents south of the Mason and Dixon line.

In the absence of this protest on the part of the Chief Executive, I am satisfied that the distinguished chairman of the House Committee on Education, Mr. REED of New York, one of the fairest and ablest Members of Congress, would have been perfectly willing for the 11-year appropriation to have remained in the bill.

The chief object of the bill, as shown by the bill itself and the report of the gentleman from New York, is to provide for the further development of the program of training farm boys and girls in agriculture and home economics in the several States.

All funds appropriated under the provisions of this bill are to be used solely for the purpose of extending the training prescribed in the Smith-Hughes Act which was passed by the Congress in February, 1917.

The Smith-Hughes Act, which was passed by the Congress 12 years ago, provides for the promotion of practical training as a part of the public-school program. It has for its main purpose the training of boys and girls to meet the real problems of life. It seeks to make our young people vocationally efficient. Under the stimulus given to practical training of boys and girls by this act, departments of vocational agriculture have been established in 3,590 schools in the rural sections of this country. Aid in maintaining departments of home economics has been extended to 1,973 schools.

The funds available under the provisions of the Smith-Hughes Act, which reached their maximum in the fiscal year ended June 30, 1926, have been sufficient to aid only 29 per cent of the rural high schools of the United States in maintaining vocational agriculture, and the meager funds provided for the aiding of home economics have been sufficient to place this type of training in only 8.7 per cent of the public high schools.

The Smith-Hughes Act provided, after 10 years of increasing appropriations, a maximum of $3,000,000 for vocational agriculture and $600,000 for home economics.

The bill under consideration is not legislation new or different in any way from that which is now in force. While it is important in the highest degree to the farmer boys and girls of the Nation, and while Senator GEORGE is entitled to full measure of credit for engineering it through the Senate, it simply authorizes appropriations of additional funds that will make it possible for additional rural districts to provide the practical type of training in their schools that is so essential to the welfare and prosperity of the country. The introduction of new and improved methods in farming, the increased use of machinery, together with the large scope of the farm business as it relates particularly to problems of marketing, distribution, consumption, and so forth, all point to the necessity of the coming generations being specifically trained to conduct successfully this ever-growing business.

Equally essential is training for the work of the farm home. Here, too, modern conveniences are contributing to improved methods in home making. Problems of selection, purchase, use, care, renovation, and maintenance of supplies and equipment to meet individual and family needs are sufficiently difficult to demand special training for their successful solution.

Provision in the public schools of the rural districts for training in home making is limited, and nowhere is such training more greatly needed. Not only do girls in these districts, as shown by statistics, marry younger than those in urban districts, but the farm home and the business of farming are so interrelated as to make success in the one dependent upon success in the other.

All boys who have taken advantage of the training under the Smith-Hughes Act, so far as it relates to agriculture, have carried out practical work on their home farms. It has meant an earning of $23,637,924.25 during the past five years. The Federal Government has put into this investment, through salaries of teachers of vocational agriculture, during the same period only $10,418,460. In other words, for every dollar of Federal funds spent in the enterprise there was a financial return of $2.26 realized by the vocational boys.

The program of vocational agriculture has been in operation long enough to show whether or not the boys who graduate or pursue agricultural courses for at least one year are remaining in agricultural work. A recent nation-wide study made by the Federal Board for Vocational Education shows that from 60 to 75 per cent of the students given vocational instruction are now in agricultural work.

The teachers of vocational agriculture are of necessity in the closest contact with farming and farm life in their respective communities. They know the needs, longings, and aspirations of the farming population. They constitute a most favorable agency for the dissemination and utilization of the researches and findings of the United States Department of Agriculture and the 48 land-grant colleges and experiment stations.

Wherever vocational departments in home making have been placed in the schools, active cooperation exists between school and home. The instruction in the school is closely related to the work of the homes from which the girls come, and fathers and mothers are among the most ardent supporters of the program.

It is estimated that approximately 80 per cent of girls and women in the country are at some time home makers, and that about 1,000,000 marry annually. If these statistics even approach to the real situation, it can be said that all girls trained in this field in the public schools will probably at some time enter upon the work of home making.

While it is not possible in home making as it is in agriculture to assign money values to the influence of this vocational training on the home, it is safe to predict from observation of the results of the work that its extension to larger numbers of girls and women in the country would contribute greatly to their success as home makers; and since national prosperity is dependent to so large an extent upon good homes, the benefits would extend to the improvement of standards of living in the Nation as a whole.

Mr. REED of New York. Mr. Chairman, I yield five minutes to the gentleman from West Virginia [Mr. HUGHES].

Mr. HUGHES. Mr. Chairman and gentlemen of the committee, I wish to say to the members of the committee I am earnestly in favor of this legislation and my reason is because I have observed some of the benefits that have been derived from such legislation.

In my own congressional district we have had some vocational training experience that has been of great benefit to the farmers of that locality. We have not only had this benefit among the farmers but we have it in the industrial manufacturing centers as well. We have benefited by this vocational training in the factories and as a concrete example, recently there was located in Huntington a pants and overall factory from Baltimore.

The girls, when they first went to work in this factory, would earn five or six dollars a week. After having the advantages of vocational training for the short time of two or three weeks, their wages were increased to fifteen or twenty dollars a week. This was the result of vocational training in a manufacturing plant of which I have personal knowledge.

Now, I am going to give you another example with reference to the farmers. We had in my congressional district a large farm that had been owned and operated by a certain farmer for a great many years. The farmer had not made a success of this farm. He had not kept up with the new ideas brought out by the Department of Agriculture and announced through the bulletins which they issue. If he had known about them he would have been more prosperous in his farming. He sold this farm to a man from Wisconsin. The man from Wisconsin and his boys had obtained a lot of information from vocational training and improved methods of farming. This Wisconsin man was farming this particular farm, not very far from where I live, and the man who formerly owned the farm went by and saw this man breaking up clods and he hollered over to him, "Brother, give 'em hell. I tried to make a living on that farm for 20 years, but if I wanted to make a living now I would go up to Huntington and get me a blind horse and a dray." This same farmer who came from Wisconsin and had the advanced ideas of farming raised on that farm 50 acres of tobacco which he sold to the American Tobacco Co. in the field for $225 an acre. He raised 125 acres of potatoes and sold 125 bushels to the acre to the Frick Co., of Pittsburgh.

Mr. ROBSION of Kentucky. Did the gentleman say that he sold 50 acres of tobacco for $2.25 an acre?

Mr. HUGHES. No; for $225 an acre. The other farmers of that locality who had not taken advantage of vocational training and had not taken advantage of the valuable bulletins issued by the Government, only raised about 60 to 75 bushels to the acre of potatoes, where this man, who had taken advantage of the vocational training, had raised 125 bushels to the acre.

These are actual results. I did not think it was necessary to take the time of the House to say anything in favor of the bill, but there are certain questions that have been brought out by different gentlemen, and I want to say that I indorse everything that the chairman of the Committee on Rules [Mr. SNELL] has said, and especially what he said with reference to the committee which came to Washington from their convention in Philadelphia last month:

> A committee of that organization from their convention in Philadelphia last month came to Washington, and I want to say they are a fine, representative lot of men. I have never met a committee of men who appealed to me as more interested in their work, had a greater desire to cooperate in every way with Congress, and only ask for the things they ought to ask for, than was this committee; and I was very much impressed with the personnel of the committee and the work they are doing. The country districts are especially interested in this vocational educational training, and let me say to the Members of the House that this, in my judgment, is a real farm-relief measure, if anything could be considered as such, because it helps to educate the young boys and girls in the country districts in the questions that arise in the management and conduct of the farm industry. For that reason I believe it is very important and should be considered. * * *

I also agree with what the gentleman from New York [Mr. REED] has so well expressed in giving the House the benefit of the advantages of this bill in his report, which is as follows:

[H. Rept. No. 1667, 70th Cong., 1st sess.]

VOCATIONAL EDUCATION

Mr. REED of New York, from the Committee on Education, submitted the following report (to accompany S. 1731):

The Committee on Education, to which was referred the bill (S. 1731) to provide for the further development of vocational education in the several States, having considered said bill, reports favorably thereon with the recommendation that the bill do pass. This bill passed the Senate April 9, 1928.

S. 1731 is a bill to provide for the further development of the program of training of farm boys and girls in agriculture and home economics in the several States.

All funds appropriated under the provisions of this bill are to be used solely for the purpose of extending the training prescribed in the Smith-Hughes Act which was passed by the Congress in February, 1917.

The Smith-Hughes Act, which was passed by the Congress 11 years ago, provides for the promotion of practical training as a part of the public-school program. It has for its main purpose the training of boys and girls to meet the real problems of life. It seeks to make our young people vocationally efficient. Under the stimulus given to practical training by this act, departments of vocational agriculture have been established in 3,590 schools in the rural sections of this country. Aid in maintaining departments of home economics has been extended to 1,973 schools. The character of work that has been conducted in these schools has so commended itself by its practical character that a very large number of additional rural districts are now demanding assistance in the establishment of these departments.

The funds available under the provisions of the Smith-Hughes Act, which reached their maximum in the fiscal year ending June 30, 1926, have been sufficient to aid only 29 per cent of the rural high schools of the United States in maintaining vocational agriculture, and the meager funds provided for the aiding of home economics have been sufficient to place this type of training in only 8.7 per cent of the public high schools.

The Smith-Hughes Act provided, after 10 years of increasing appropriations, a maximum of $3,000,000 for vocational agriculture and $600,000 for home economics.

The bill S. 1731 is not legislation new or different in any way from that which is now in force. It simply authorizes the appropriations of additional funds that will make it possible for additional rural districts to provide the practical type of training in their schools that is so essential to the welfare and prosperity of the country. Most of these farming districts are not in a financial condition to provide further for this type of training without State and Federal assistance. The introduction of new and improved methods in farming, the increased use of machinery, together with the large scope of the farm business as it relates particularly to problems of marketing, distribution, consumption, etc., all point to the necessity of the coming generations being specifically trained to conduct successfully this complex and ever-growing business.

Equally essential is training for the work of the farm home. Here, too, modern conveniences are contributing to improved methods in home making. Problems of selection, purchase, use, care, renovation, and maintenance of supplies and equipment to meet individual and family needs are sufficiently difficult to demand special training for their successful solution.

Provision in the public schools of the rural districts for training in home making is limited, and nowhere is such training more greatly needed. Not only do girls in these districts, as shown by statistics, marry younger than those in urban districts, but the farm home and the business of farming are so interrelated as to make success in the one dependent upon success in the other.

All boys who have taken advantage of the training under the Smith-Hughes Act, so far as it relates to agriculture, have carried out practical work on their home farms. It has meant an earning of $23,637,924.25 during the past five years. The Federal Government has put into this investment, through salaries of teachers of vocational agriculture, during the same period only $10,418,460. In other words, for every dollar of Federal funds spent in the enterprise there was a financial return of $2.26 realized by the vocational boys.

Do the boys become farmers? The program of vocational agriculture has been in operation long enough to show whether or not the boys who graduate or pursue agricultural courses for at least one year are remaining in agricultural work. A recent nation-wide study made by the Federal Board for Vocational Education shows that from 60 to 75 per cent of the students given vocational instruction are now in agricultural work.

The teachers of vocational agriculture are of necessity in the closest contact with farming and farm life in their respective communities. They know the needs, longings, and aspirations of the farming population. They constitute a most favorable agency for the dissemination and utilization of the researches and findings of the United States Department of Agriculture and the 48 land-grant colleges and experiment stations.

Wherever vocational departments in home making have been placed in the schools, active cooperation exists between school and home. The instruction in the school is closely related to the work of the homes from which the girls come, and fathers and mothers are among the most ardent supporters of the program.

It is estimated that approximately 80 per cent of girls and women in the country are at some time home makers, and that about 1,000,000 marry annually. If these statistics even approach to the real situation, it can be said that all girls trained in this field in the public schools will probably at some time enter upon the work of home making.

While it is not possible in home making as it is in agriculture to assign money values to the influence of this vocational training on the home, it is safe to predict from observation of the results of the work that its extension to larger numbers of girls and women in the country would contribute greatly to their success as home makers; and since national prosperity is dependent to so large an extent upon good homes, the benefits would extend to the improvement of standards of living in the Nation as a whole.

It was very forcefully brought to the attention of the Committee on Education that there is an unusually widespread interest in this bill throughout the Nation. The bill has the indorsement of agricultural leaders, educators, the farm press, and the national farm organizations, as well as such women's clubs and organizations as the General Federation of Women's Clubs and the American Association of University Women. It is indorsed by the United States Department of Agriculture and the Federal Board for Vocational Education.

This bill does not initiate any new principle of Federal participation. It merely extends the benefits now enjoyed by many rural communities to other farm communities not now receiving such benefits.

I am in favor of the bill, and I certainly hope it will pass. I am in favor of the amendment adopted by the Senate, because I feel it is necessary. Otherwise it might endanger the passage of the bill, and I am sure that at the end of five years the Congress, after knowing the valuable results obtained from this legislation, will be glad and willing to extend the time. This will give to the youth of the rural sections of the country a great opportunity to develop the natural resources of the rural sections and build up a better citizenship in intelligence, in enlightenment, and will provide a better opportunity than the farmers of our day had, and it is to this class that we must look to do things in the future. In order for the farmer to make a success of farming, it is absolutely necessary that he keep up with the latest and most improved facilities. When he does this the farmer then has a hard time of it.

I feel that this bill will have a tendency to keep the boy on the farm, and that certainly will be a good thing for the boy and for the country as well.

Mr. TARVER, from Georgia, has certainly given some valuable information, and I am quoting this part of his remarks, and right here I want to insert the statement which was made by Doctor Lane to the committee at the hearings:

Every boy who elects to take the vocational work as part of his high-school education is required to carry on for at least six months at home some definite, practical work under the supervision of his teacher. Now, that means an economic return on the part of the boys in the production of livestock or crops or some other work around a farm.

The total labor income from this practical work during the past five years was $23,637,924.25. This is not an estimate. It is based upon accurate cost accounting. For every dollar of Federal funds spent for vocational agriculture there was a financial return of $2.25 realized by the boys from their labor. The total Federal fund spent for salaries of teachers of vocational agriculture during the 5-year period was $10,418,460, and there was realized $23,637,924.25 from the practical work the boys did.

[Applause.]

Mr. LOWREY. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman and gentlemen of the House, I am heartily in favor of the defeat of this bill. I spoke against the original bill in this House on May 19, 1924. I want to ask you to pause for a moment and consider our relations to legislation in this House. As all will admit, we have no power to pass any bill in this House where the power is not given by the Constitution directly, or by direct implication. I challenge any gentleman on the floor of this House to point out to me a provision of the Constitution that gives Congress the power to legislate on education. Where is it? Speak up. It can not be found. Not only is it not found there but it was in open convention offered to the convention and declined; and yet there are gentlemen who are attempting to hold that the so-called general welfare clause covers education, when those who made the Constitution had it specifically proposed to them by a committee of the convention and they declined to accept it. Is it not attenuated logic that can see in the words "to provide for the general welfare" a right to legislate on a subject which was proposed in the convention when the convention refused to put it in the Constitution among the grants of power?

On the 18th of August, 1787, during the progress of the convention, when they were considering the Pinckney plan, which contained no grants of power to Congress over education or agriculture, a committee of the body proposed forty-odd additional propositions to be added to the powers of Congress already contained in that plan. One of these provisions gave Congress the power to legislate on education. It read as follows:

To establish seminaries for the promotion of literature and the arts and sciences. (Journal of the Federal Convention, Boston, 1819, p. 260.)

Another was as follows:

To establish public institutions, rewards, immunities, for the promotion of agriculture, commerce, trades, and manufactures. (Id. p. 261.)

Another proposing a council of state for the President composed of the following officers:

1. The Chief Justice of the Supreme Court, who shall, from time to time, recommend such alterations of, and additions to, the laws of the United States, as may in his opinion be necessary to the due administration of justice, and such as may promote useful learning and inculcate sound morality throughout the Union.

2. The secretary of domestic affairs, who shall be appointed by the President, and hold his office during pleasure. It shall be his duty to attend to matters of general police, the state of agriculture and manufactures, the opening of roads and navigation, and the facilitating communications through the United States.

There are other propositions looking in the same direction. Not one of the above ever appeared in the Constitution; but see how striking is this last proposition, section 2; for, among the duties assigned to the secretary of domestic affairs, the matters of roads and navigation and communications throughout the United States were incorporated in the Constitution,

but the matters of "general police", the state of agriculture and manufactures embraced in the same section were never mentioned, while roads and navigation and commerce, put side by side with the matters of general police, agriculture, and manufactures, were inserted in the Constitution.

This is a powerful vindication of our position. These questions were submitted openly to the Convention with the appeal of a committee to add them to the congressional powers, and they were rejected and they were never heard of afterwards. Where do we get the power to-day to do this thing? Some gentleman says, "Well, we have always been doing it."

I do not recognize that argument. That is the bootlegger's argument. [Laughter and applause.]

A man that advances it may not be the bootlegger as we understand it, but he is using the bootlegger's argument. Where do you get the power? I am not asking you to take my view of it. I ask you to hear three of the greatest judges who ever sat on the bench of the Supreme Court of the United States. In the great case of Gibbons against Ogden (1. Wheat. 187), decided by Chief Justice Marshall, discussing the taxing power of the States and the taxing power of the Federal Government—for this was not obiter dictum—said:

> In imposing taxes for State purposes the States are not doing what Congress is empowered to do. Congress is not empowered to tax for those purposes which are within the exclusive power of the States.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. TUCKER. Certainly.

Mr. COOPER of Wisconsin. The gentleman thinks that the general welfare clause would not apply?

Mr. TUCKER. Does the gentleman from Wisconsin understand the general welfare clause to give Congress the right to legislate on any subject it deems proper?

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

Mr. LOWREY. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. TUCKER. As I understand the question of my friend from Wisconsin he is running on the old exploded idea that that proposition means that Congress has the power to legislate on anything it may deem for the welfare of the people of the United States.

Mr. COOPER of Wisconsin. The gentleman must not impute any opinion to me—I asked the gentleman a question.

Mr. TUCKER. I am trying to get the gentleman's opinion for this reason. Mr. Hamilton in June, 1787, introduced into the convention a proposition giving Congress the power to legislate on all subjects, State and national. It was given but scant consideration and that proposition was voted down directly or indirectly five times during the convention, and yet gentlemen come here and say a proposition which was voted down five times is still alive; that it has as many lives as a cat. Whatever may be the general welfare clause, if there is such, and I do not think there is such a clause, that is Judge Marshall's opinion, for he says that Congress has no power "to levy taxes for those purposes exclusively within the power of the States," and confessedly education is a State function.

I take you a little further. In 1842 in the great case of Dobbins *v.* The Commissioners of Erie County (16 Peters, 448) Judge Wayne delivered the unanimous opinion of the court, and in that court sat Chief Justice Taney and Judge Story agreeing with him. In that unanimous decision the court held, speaking of the taxing power:

> The revenue of the United States is intended by the Constitution to pay the debts and provide for the common defense and general welfare of the United States; to be expended, in particular [that is, to be more particular] in carrying into effect the laws made to execute all the express powers "and all other powers vested by the Constitution in the Government of the United."

In 1868 Chief Justice Chase rendered a decision in the case of Veazie Bank *v.* Fenno (8 Wall. 541), in which he said, speaking of the taxing power:

> There are, indeed, certain virtual limitations, arising from the principles of the Constitution itself. It will undoubtedly be an abuse of the power if so exercised as to impair the separate existence and independent self-government of the States, or if exercised for ends inconsistent with the limited grants of power in the Constitution.

Mr. Chairman and gentlemen, I rest my case right there. Here is Marshall, the Federalist, Taney, the Democrat, Chase, the Lincoln Republican, "a trinity in unity" agreeing on one thing, namely, that there is no power in Congress to lay a tax for any purpose that belongs exclusively to the States. On that granitic foundation I stand. If we can not follow that trio we had better surrender our charter and go out of business.

I hear a great deal about the constant violation of the Constitution and a certain law, known as the Volstead law. How do we answer charges like this? Have each of us our own "little pet" violations of the Constitution, possessing a far-off beneficent hue which we readily excuse, while deploring with pitiless tears those ruthless violators of other sections which we have no inclination to disregard? Are we following the doctrine of Hudibras who said:

> We compound for sins we are inclined to
> By damning those we have no mind to.

The breaking of the Constitution is just as fatal in the vocational educational bill as it is in the Volstead law. I am against all such legislation, such as child labor laws, educational laws and maternity laws, because they are unconstitutional, and if we Democrats ever expect to redeem the old Party, we must go back to the Constitution and stand by it steadfastly and firmly. [Applause.]

In extending my remarks by permission I beg to refer briefly to the constitutional argument submitted by my friend, the chairman of the committee, Mr. REED of New York.

In my remarks at the outset I challenged the production of a power in Congress under which this bill could pass. There was no response to that challenge, and I doubt not my friend felt that it was necessary at least to make a gesture on this subject, and he introduces the usual gesture, that the authority comes from the so-called general welfare clause, and he quotes Judge Story as indorsing that view. In the CONGRESSIONAL RECORD of December 13, 1927, is recorded a speech I made entitled "Judge Story's Position on the General Welfare Clause," to which I ask the consideration of any who are interested in this subject. I merely quote below sections 909 and 910 of Judge Story's great work to show that Judge Story, from my examination of the matter and which is set forth in the above speech, in his commentaries took two inconsistent positions, which can not be reconciled, for sections 909 and 910 are certainly unanswerable. The sections are as follows:

> SEC. 909. The Constitution was from its very origin contemplated to be a frame of a national government of special and enumerated powers, and not general and unlimited powers. This is apparent, as will be presently seen, from the history of the proceedings of the Convention which framed it, and it has formed the admitted basis of all legislative and judicial reasoning upon it ever since it was put into operation by all who have been its open friends and advocates, as well as by all who have been its enemies and opponents. If the clause "to pay the debts and provide for the common defense and general welfare of the United States" is construed to be an independent and substantive grant of power, it not only renders wholly unimportant and unnecessary the subsequent enumeration of specific powers, but it plainly extends far beyond them and creates a general authority in Congress to pass all laws which they may deem for the common defense or general welfare. Under such circumstances the Constitution would practically create an unlimited national government. The enumerated powers would tend to embarassment and confusion, since they would only give rise to doubts as to the true extent of the general power or of the enumerated powers.
>
> SEC. 910. One of the most common maxims of interpretation is (as has been already stated), that, as an exception strengthens the force of a law in cases not excepted, so enumeration weakens it in cases not enumerated. But, how could it be applied with success to the interpretation of the Constitution of the United States if the enumerated powers were neither exceptions from, nor additions to, the general power to provide for the common defense and general welfare? To give the enumeration of the specific powers any sensible place or operation in the Constitution, it is indispensable to construe them, as not wholly and necessarily embraced in the general power. The common principles of interpretation would seem to instruct us that the different parts of the same instrument ought to be so expounded as to give meaning to every part which will bear it. Shall one part of the same sentence be excluded altogether from a share in the meaning; and shall the more doubtful and indefinite terms be retained in their full extent, and the clear and precise expressions be denied any signification? For what purpose could the enumeration of particular powers be inserted, if these and all others were meant to be included in the preceding general power? Nothing is more natural or common than first to use a general phrase, and then to qualify it by a recital of particulars. But the idea of an enumeration of particulars which neither explain nor qualify the general meaning, and can have no other effect than to confound and mislead, is an absurdity, which no one ought to charge on the enlightened authors of the Constitution. It would be to charge them either with premeditated folly or premeditated fraud.

The next reliance my friend offers is the report of Mr. Hamilton on manufactures in 1791, in which he states that—

> there seems no reason to doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce

are within the sphere of the national councils as far as regards an application of money.

I think to rely upon Mr. Hamilton in this matter is quite unfortunate; and I think I can show that Mr. Hamilton's testimony as above given is worth little or nothing.

First. Mr. Hamilton in the above expression states that "learning, agriculture, manufactures, and commerce are within the sphere of the national councils as far as regards an application of money"; that is, Congress can make appropriations for such. In the preceding part of this speech I have quoted the instances where propositions relating to learning, education, agriculture, etc., were submitted to the Constitutional Convention to be placed among the powers granted to Congress, but they were not adopted, while other powers suggested at the same time were adopted. Is not that sufficient to show that no such power exists?

Second. On the 4th of September the committee of 11 reported that clause 1 of section 1, Article VII of the Pinckney plan should read:

The legislature shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States.

This was adopted without a dissenting vote. The Pinckney plan, which had been adopted on the 16th of August, merely provided that "The legislature shall have power to lay and collect taxes, duties, imposts and excises"; followed by the other grants of power. The reasons for inserting these words "to pay the debts," and so forth, are given in my speech above referred to, which appeared in the CONGRESSIONAL RECORD on December 13, 1927, under the heading of "In Conclusion." Now the claim is made by the gentleman from New York [Mr. REED], the chairman of the Committee on Education of this House, that these words constitute a substantive grant of power to Congress to pass all and any laws affecting the general welfare of the people of the United States; and while Judge Story, in a luminous argument, shows such a claim to be preposterous, he claims that, under these words, Congress may make appropriations for any object which in their judgment they may believe to be for the common defense or general welfare of the people of the United States—that is, that Congress can appropriate money to an institution that it is denied the power to create.

The question, therefore, is brought sharply to this issue: Did the men constituting this committee of 11 intend, by the insertion of these words, to destroy the Pinckney plan containing only specific grants of power to Congress, which had been passed unanimously by the convention without a single negative vote on the 16th of August previously? An examination of this committee will show that the majority of them could never have agreed to any such proposition. The known sentiments of at least seven of them, and probably nine, show conclusively that their insertion of these words was never considered by them as authorizing the construction put upon them by the Hamiltonians, or by the learned Judge Story.

Albert Gallatin, of Pennsylvania, was one of the most distinguished men of his day. On the 16th of June, 1798, as a Member of Congress, he made a speech on this clause, in which he said:

He (Gallatin) was well informed that these words had originally been inserted in the Constitution as a limitation to the power of laying taxes. After the limitation had been agreed to, and the Constitution was completed, a member of the convention (he was one of the members who represented the State of Pennsylvania), being one of a committee of revisal and arrangement, attempted to throw these words into a distinct paragraph, so as to create not a limitation, but a distinct power. The trick, however, was discovered by a member from Connecticut, now deceased, and the words restored as they now stand. So that Mr. Gallatin said, whether he referred to the Constitution itself, to the most able defenders of it, or to the State conventions, the only rational construction which could be given to that clause was that it was a limitation, and not an extension of powers. (U. S. Annals of Congress, 5th Cong., 1797–1799, vol. 8, p. 1796.)

For confirmation of the above see The Framing of the Constitution, Max Farrand, page 182.

It is of interest to note that Abraham Baldwin, a member of this committee, was a member of the Federal Convention and a Member of the same Congress (the Fifth) that Gallatin was, and engaged with him in this debate, and he doubtlessly heard Gallatin's statement, and there was no denial of it from him.

Who was the member from Pennsylvania in the convention who attempted this "trick"? It is easy to ascertain who he was. In being designated as one of a committee of revisal and arrangement in the convention we find that the member from Pennsylvania on that committee was Gouverneur Morris. And who was the member from Connecticut that discovered the "trick"? By the process of elimination this is easily discovered because Mr. Gallatin said "he is now dead." The Gallatin words were spoken in 1798. Johnson, Ellsworth, and Roger Sherman were the members of the convention from Connecticut. Johnson and Ellsworth died after 1800, and Roger Sherman died in 1793; and Roger Sherman, who detected this "trick," was a member of this committee of 11 that brought in this report, and, having prevented Morris from making the change by throwing these words into a distinct paragraph, it showed first that Sherman was opposed to the unlimited power attempted to be given to these words by Morris's "trick," and, second, that Morris was trying to make the change to carry out Hamilton's idea, because the clause as adopted September 4 was fatal to Hamilton's desire for unlimited powers.

This "trick" described by Mr. Gallatin as attempted by Gouverneur Morris arose out of the fact that on the 8th of September the convention appointed a committee "of five to revise the style and arrange the articles agreed to by the House." The committee was composed of Samuel Johnson, Hamilton, Gouverneur Morris, Madison, and King, and on the 12th of September that committee made its report and article 1, section 8, appears as follows:

SEC. 8. The Congress may, by joint ballot, appoint a treasurer. They shall have power to lay and collect taxes, duties, imposts, and excises;

To pay the debts and provide for the common defense and general welfare of the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, among the several States, and with the Indian tribes, etc. (Journal of Federal Convention, Boston, 1819.)

Had the Constitution been ratified in that form, there would be considerable ground for asserting that it contained the Hamiltonian idea of unlimited power, for here these words are taken from a dependent position in the first clause of section 8 as a part of it, and have no relation to the power of taxation as set forth in that clause, and are entirely divorced from this clause, and by their location are made an independent, separate clause, and become one of the substantive grants of power to Congress, just as the other 17 grants in this sentence.

This report made by the committee on style was made to the convention on September 12. The Constitution was voted on and adopted by the convention on the 15th of September, but between those two dates the Journal makes no further mention of it and there is no other reference to it in the Journal, but when the Constitution appeared as finally signed by the members this clause was unchanged and was in the exact form adopted by the convention on the 4th of September. The attempt to change it had failed. This committee on style in the dying hours of the convention that proposed this Hamiltonian power for Congress, which had been rejected four times before this by the convention, has un unknown genesis—unless it may be found in Roger Sherman's discovery—and its paternity is also unknown, for its proponent in the convention (September 8) is not given in the Journal, but only the featureless words "It was moved and seconded." Who was the mover of the resolution? And what was the necessity for the committee? Three of its members (Morris, Madison, and King) were all members of the committee of 11, one from each State, appointed August 31, that had large and complete powers to deal not only with what already had been acted upon but what might yet be considered by the convention. This much at least is known, that a majority of the five were Hamiltonians, and the failure of their report presented on the 12th of September on this section was the expiring gasp of centralized power in its failure to incorporate imperial power in the Constitution of the United States.

The constitution to-day as it came from the convention has this clause just as it was adopted on the 4th of September, 1787, in that convention. The gentleman from New York [Mr. REED] and those who follow him claim that in this form Congress is empowered to legislate for any purpose that they think is for the good of the people. I appeal from the gentleman from New York [Mr. REED] to Mr. Hamilton. If that clause adopted on the 4th of September, 1787, contained the power claimed for it by the gentleman from New York [Mr. REED] to-day it was practically the proposed power supplied by Mr. Hamilton in his draft of a constitution, that Congress should—

have power to pass all laws which they shall judge necessary to the common defense and general welfare of the Union.

Did Mr. Hamilton believe that the clause adopted September 4 contained this unlimited power introduced in the convention in June? His proposition had scarcely been discussed in the convention at all. The Pinckney plan of specific powers

had held the center of the stage from the 6th of August. The Randolph and Patterson plans had been discarded. The Pinckney plan on this subject, brought into the convention on the 6th of August, was passed without a dissenting vote on the 16th of August. So that the convention, to carry out the theory of the gentleman from New York [Mr. REED], adopted the Pinckney plan on the 16th of August in direct opposition to Hamilton's plan; and then on the 4th of September, by the insertion of the words "to pay the debts and provide for the common defense and general welfare" in the first grant of power in this section reestablished the original Hamiltonian proposal of unlimited power to Congress; and then mirabile dictu placed it in the very bowels of a specific grant to Congress to lay taxes, between the grant and a limitation upon that grant, undoing all of the work that had been done in the adoption of the Pinckney plan without opposition, as well as violating every principle of grammatical construction.

The gentleman from New York [Mr. REED] may think that; but did Mr. Hamilton? If so, why was it that on the 8th day of September, 1787, a new committee, a majority of whom were Hamiltonians, one of them Mr. Hamilton himself, another Gouverneur Morris, his right-hand man, was appointed on revision and style; and on the 12th of September brought in a report that changed this provision, disemboweling the expression "to pay the debts and provide for the common defense and general welfare," from the grant to lay taxes, and setting it apart, down below the power to levy taxes, separated from it by a semicolon and making it a distinct substantive grant. Why should Hamilton through Gouverneur Morris, resort to that method to obtain an end which the gentleman from New York [Mr. REED] says had already been obtained on the 4th of September? Why was Gouverneur Morris induced to resort to what Mr. Gallatin called a "trick" to accomplish for Mr. Hamilton what the gentleman from New York [Mr. REED] says they already had? Argument is useless.

The action of the convention in rejecting it was the final blow; and yet, in the quotation from Mr. Hamilton's report on manufactures, above cited, made within four years from the time of this action in the convention he asserts in that report that learning, education, commerce, etc., could be reached by appropriations by Congress which he and Gouverneur Morris felt was not the case when the convention adjourned with their failure to have their report adopted changing the form adopted September 4, 1787.

Third, I have said that the Hamilton plan, giving Congress unlimited power to legislate on any bill that seemed to it for the good of the people, had been voted down directly or indirectly five times during the convention. I give you, to show this, these propositions and citations from the Journal of the Federal Convention.

1. On the 17th of July a resolution by Mr. Sherman.

2. On the 16th of August, when the Pinckney plan was adopted, which contained only definite and specific powers for Congress, which being limited in number, was the exact counterpart of Hamilton's unlimited proposal.

3. On the 22d of August Robert Morris and Rutledge of South Carolina offered amendments to give Congress the power "to fulfill the engagements and discharge the debts of the United States." This was clearly in direct opposition to Hamilton's proposition, for what engagements had the United States? Chiefly the 18 specific grants found in the Pinckney plan, which had been adopted on August 16, six days before.

4. On the 25th of August Mr. Sherman's resolution plainly upholding Hamilton's plan was rejected; Connecticut alone voting yea.

5. Then on the 12th of September the committee which had been appointed on the 8th of September to revise and arrange the articles of the Constitution, consisting of Johnson, Hamilton, G. Morris, Madison, and King, reported to the convention a substitute for Article I, section 8, adopted on the 4th of September (which is the language of the present Constitution) the following:

ARTICLE I

SEC. 8. The Congress may, by joint ballot, appoint a Treasurer. They shall have power to lay and collect taxes, duties, imposts, and excises;

To pay the debts and provide for the common defense and general welfare of the United States;

To regulate commerce;

To coin money.

And so forth, and so forth.

Had this proposition been adopted by the convention to take the place of the clause adopted September 4, which is now the present Constitution, my friend from New York would have something to base his claim of constitutionality upon for this bill. It not only was not adopted; it was never considered. The subject was never discussed in the convention after it was offered; and after these five rejections of Mr. Hamilton's proposal to give Congress unlimited power to appropriate money, by what authority can it be claimed that such a power exists in the Constitution?

Justice Brewer, in the case of Fairbanks *v.* United States (181 U. S. 1), where a construction of the Constitution was urged, which had been rejected in the convention framing the Constitution, said:

> In other words, the purpose of the restriction is that exportation, all exportation, shall be free from national burden. This intent, although obvious from the language of the clause itself, is reinforced by the fact that in the constitutional convention Mr. Clymer moved to insert after the word "duty," the words "for the purpose of revenue," but the motion was voted down. So it is clear that the framers of the Constitution intended not merely that exports should not be made a source of revenue to the National Government, but that the National Government should put nothing in the way of burden upon such exports.

In the same great case the same great judge, in discussing what is called "the practical construction of the Constitution," arising from the fact that officers of the Government have construed the Constitution in one way, and Congress itself has passed a number of similar bills, uses this striking language:

> We have no disposition to belittle the significance of this matter. It is always entitled to careful consideration and in doubtful cases will, as we have shown, often turn the scale; but when the meaning and scope of a constitutional provision are clear, it can not be overthrown by legislative action, although several times repeated and never before challenged.

Mr. REED of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION.]

Mr. ROBSION of Kentucky. Mr. Chairman and gentlemen of the committee, I have listened with great interest to the most eloquent appeal from our distinguished friend from Virginia [Mr. TUCKER] asserting that this measure is unconstitutional. In the few minutes I have at my disposal I shall not attempt to enter at length into a discussion of the constitutionality of this question. In fact, my friend from Virginia is always so delightful in his opposition to these great programs of progress, that it requires some effort to oppose him. The gentleman harks back to the days before 1861. All well and good. But this great country has moved up and has taken some great strides in the way of progress since those days, however glorious they may have been. Washington and Madison urged the Congress of the United States to appropriate money to advance the cause of education in this country. Congress years and years ago provided the land-grant funds with which to establish agricultural and mechanical colleges in every State in the Union, and they have been established. Congress created a Bureau of Education and has been providing funds for its support through all the years. Congress created the Department of Agriculture that reaches out and looks after the pigs, cattle, and sheep, the Johnson grass and the barberry bush and the boll weevil and the corn borer and many other things, and Congress has been providing funds for these activities for a half century. My distinguished friend has been living in this country all of that time and has held membership in this House for many years, and I am wondering why he does not go into the Federal courts and have the acts declared invalid, instead of permitting Congress to continue throughout all the years to violate the Constitution, as he says. If we can reach out and look after the moose in Alaska and the sheep and the hogs and the Johnson grass and the boll weevil and the corn borer, it seems to me that we have a right under the Constitution to reach out under the "general welfare" clause and do something for the boys and girls of the Nation. [Applause.]

That is what we are undertaking to do in this bill. The gentleman from Virginia urges help for agriculture. In the many years of his fine service in this House I am satisfied that he has been voting for appropriations for the Department of Agriculture and for bills that provide for the Bureau of Education. If this vocational education is not authorized by the Constitution, neither is either one of those activities of the Government authorized by the Constitution.

I strongly favor this particular legislation. I want to do something for agriculture. Here we propose to go out into the rural communities and not only train the minds but train the hands of the boys and girls of America. We are trying here to reach down from the top and help agriculture, and, in my humble opinion, we are going to help agriculture more when we get down with the boys and girls and train them properly than

we can in any other way, because you will then enable them to solve these problems in a way that we may never be able to solve them ourselves.

Why, I can remember well when I was a lad out on a farm we did not know what caused chickens to have "limber neck." We did not know what to do for it. We were giving them this thing and that thing. The cause was a simple thing. It was caused by the fowls eating decayed flesh. All that was necessary was to keep decayed flesh away from the chickens and there was no more limber neck. This legislation has been especially attractive to the people of my State. I have had opportunity to observe its workings and you should see the interest that has developed on the farm, in the schools, in the homes, and everywhere. It seems to me we have been trying to make lawyers and doctors and teachers and preachers out of too many people who are not interested and have neglected to train these young folks who desire to follow vocational pursuits. We must give the boys and girls on the farm and in the homes in the rural sections a chance.

Mr. COLLINS. Will the gentleman yield?

Mr. ROBSION of Kentucky. I will.

Mr. COLLINS. We are spending millions of dollars a year in training boys and girls in the schools of the country in a military way. I have not heard any objection to that. What is the difference in the two?

Mr. ROBSION of Kentucky. Mr. Chairman and gentleman of the committee, I think it quite as essential to the national defense and to the general welfare of this country to train our boys and girls in agriculture and home economics as to train them for war. We need more good farmers and good home builders.

I wish to say to my distinguished friend from Virginia [Mr. TUCKER] that our forefathers in writing the Constitution, after they had named 14 activities in which the Federal Government should participate as proper activities on the part of the Federal Government, concluded with the statement "and to provide for the general welfare." This certainly did not refer to providing for courts, for armies, for navies, and the like. They had already declared those things in specific terms; but in their wisdom they must have realized that this country was young and in the years to come would develop along many lines. They provided for a covering clause "the general welfare," so that as new conditions should arise or activities that were not considered by them that the American people deemed for the general welfare Congress should have the power to make suitable provision, and under this general-welfare clause we have created the Department of Agriculture, other departments, and the Bureau of Education. As I recall, our Government started with but three departments. Now we have 10.

This bill, providing for vocational training of our boys and girls in the rural sections, on the farms, and in the homes, has just as much sanction of the Constitution as has the Department of Agriculture or the Bureau of Education.

We reach out and look after the moose in Alaska; we provide for the education of the Indians; we give the most careful attention to crops and to animals on the farm. We have been doing these things for years. Why should we now hesitate to provide suitable training for the boys and girls in the rural sections and make the farm and the home more attractive and give to these boys and girls the opportunities that boys and girls have in the cities, so that they may be more on an equality with the boys and girls in the cities and be able to meet the problems of life?

The money provided by the Federal Government for vocational education in Kentucky has been under a most capable man, Mr. Ivan Barnes, and his administration has been most successful and the results all that could be desired.

In looking after the boys and girls of the Nation I think we are undoubtedly providing for the general welfare of our country. If you want to help agriculture and the farmers of this country, vote for this measure and help the boys and girls on the farms. [Applause.]

Mr. LOWREY. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. McSWAIN]. [Applause.]

Mr. McSWAIN. Mr. Chairman, ladies and gentlemen of the committee, I expect to support the bill, but, apprehending that approval of the bill might be construed as an indorsement of the constitutional argument upon which it is based by the gentleman who just addressed the House, the gentleman from Kentucky, I have craved the privilege of a few minutes to explain my views in reference to the constitutional feature of just such a proposition, and it is this: I deny that the "general-welfare" clause as referred to here confers any specific power. The general-welfare clause was a résumé by way of brief reference to all the preceding 18 powers that had been specifically enumerated. So that it means this: That the Congress is authorized to levy taxes and to exercise the specific powers theretofore enumerated, so that by the exercise of those powers it may promote the "general welfare." But I am going to vote for the bill. How am I to be consistent? I sat as a student at the feet of Gamaliel, a great constitutional lawyer, such as the distinguished learned gentleman from Virginia is, and when this Smith-Hughes Act was first enacted I, as a private citizen and practitioner, had my "constitutional morality" terribly shocked, and I came to the House with considerable misgivings about what would be my attitude when after having stood here with elevated hand and had sworn to defend the Constitution of the United States, whether or not I could support such legislation as this.

But I confess, as many other Members have confessed in my hearing, that a term or two of service here is quite a liberal education. Our ideas become very materially liberalized, and I confess now that I can see the light in a way that I did not quite see it when I confined my vision strictly to the text of the decisions by Marshall and Taney and Cooley and other great constitutional lights.

Now, here is a proposition that seems to my mind to be as simple as it can be. It is true the Federal Government is based upon a Constitution of limited powers. By that it means "limited in number," and not limited in extent of the few powers that are given. Because every power given to the Federal Government is in itself absolutely unlimited. It is a whole, complete power of Government to the extent to which such governmental powers are conferred.

Now, the first essential, indispensable power of any government, as every one of these great judges has held from first to last, is this, the power of self-preservation, the power of self-maintained security; and I submit that the life, the firmness, the stability, and the perpetuity of this Government rests upon the farms and the homes of the Nation. [Applause.] And since this bill proposes to encourage farm information and farm interests and farm skill and knowledge of the home, and how to conduct and carry on the home work wisely, so as to promote health and happiness in the home, it is thereby promoting the security, the life, the integrity, the fundamental essence of the very Nation itself. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LOWREY. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. SPROUL].

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

Mr. SPROUL of Kansas. Mr. Chairman and members of the committee, I am for this legislation because by means of it the farm boys and girls throughout the land will have opportunity to acquire a knowledge of agricultural economics and administration. In other words, they will acquire the knowledge of how to make the farm pay.

There is a conspicuous lack among the farming communities of the land of this particular character of education. Of course we might say that there are other lines of industry where there is also a lack of economic and business knowledge concerning the industry in which people are engaged. The banking business might be mentioned as one of those in this particular class of education. The young men and the young women should be taught economics as well as how to cultivate and how to produce certain crops. The unwisdom of spending much time and much effort and much money on nonproductive lines certainly should be taught to the young men and young women contemplated by the provisions of this bill.

In our great agricultural State much effort is being made by the director of vocational education in extending this character of education to every part of the State. And now I wish to quote, if I may, what our director has to say on this particular subject. He says:

> We are asking this legislation because we have reached the limit of expansion of our program in our State. We are reaching 100 rural high schools out of a possible 400, and we are reaching 2,000 boys out of a possible 8,000 boys. I am talking of farm boys. We are seeking this education in order to extend this training to communities in Kansas to which it has not been extended.
>
> C. M. MILLER,
> *State Director of Vocational Education, Topeka, Kans.*

I thank you, gentlemen. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. JENKINS].

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. JENKINS. Mr. Chairman and gentlemen of the committee, it shall not be my purpose of indulge in any discussion of the constitutionality of this measure, as requested by the gen-

tleman from New Jersey. I am glad we shall have the support of the distinguished gentleman from South Carolina [Mr. McSWAIN]. I am glad of the conclusion he has reached, but I am not so profoundly impressed with the reasoning by which he arrives at his conclusion. [Laughter.]

The gentleman from New York [Mr. SNELL] paid a splendid compliment to those who have so zealously pressed this legislation. He stated that they had presented the merits of this bill before the Committee on Rules very creditably.

I wish to say that the department of education of the great State of Ohio deserves a lot of credit for assisting in laying the groundwork of that splendid sentiment. The State of Ohio is entitled to compliments for its part in the furtherance of this measure, and these distinguished schoolmen who have been so forward in that work are to be complimented. I have said what I rose to say, and will yield the balance of my time. [Applause.]

Mr. LOWREY. Mr. Chairman, I yield three minutes to the gentleman from Florida [Mr. GREEN].

The CHAIRMAN. The gentleman from Florida is recognized for three minutes.

Mr. GREEN. Mr. Chairman and colleagues, I do not desire to go into the constitutionality of the bill. I do not think it is necessary. I would like to remind my colleagues of the fact that the State which I, in part, represent appropriates for the control of floods and to reclaim lands, and those appropriations will, we hope, be met by the Federal Government funds. I likewise believe it is the duty of the Federal Government to foster education for the rural districts. If you will show me rural districts of any State where you have an educated people, I will show you a people who are preserving their social institutions. If you will show me an enlightened citizenship, I will show you that its education leads it forward in every other way. I do not believe that education and wisdom increases misery but believe that it dispels misery. I believe in light and education. When education is fostered, you foster the wealth and the ability of the people; it goes to make usefulness and happiness. I am glad that the Committee on Rules saw fit to bring in a rule for the passage of this additional appropriation.

I would be glad if the Committee on Education would bring out a bill providing for a department of public education, with a secretary in the President's Cabinet. I have introduced such a bill, and I trust that it or some similar bill may be brought from the Committee on Education giving governmental approval of public education in the United States.

My friends, the subject of education is one in which we should all be interested. It is one of importance to the rank and file. The rural communities of our Nation are those which in the past have been neglected as far as vocational education is concerned, but now they are becoming enlightened. Good roads go all through them; power lines have been carried through them; telephone lines have been built through the rural communities, and now if you carry to them the educational opportunities that have heretofore been given to the cities and large centers of population you are going to see a great, safe, and powerful people rise and carry on their share of our Government's burden. I say, give to the youth of our land equal educational opportunities, regardless of whether he lives in country or city. [Applause.]

Mr. LOWREY. Mr. Chairman, I have no other speakers, but I believe I have a little time remaining.

The CHAIRMAN. The gentleman from Mississippi has 19 minutes remaining.

Mr. LOWREY. Mr. Chairman, I yield myself as much of that time as I may desire to use. [Applause.]

A southern negro said, "You know, Massa Jim, he said sandy land makes the best 'tatoes and I say so, too, and we just argufied about it all day." Well, it seems we are "argufying" here for two hours on something about which we are all agreed, with one very honorable exception. I respect his scruples, but do not agree entirely with his conclusions.

On the general subject of vocational education I want to read a brief passage from a speech delivered by Edward T. Franks, vice chairman of the Federal Board for Vocational Education. This vocational education experiment has been tried out, perhaps, more thoroughly in our cities and larger towns and in industrial and manufacturing centers that it has been tried out in agricultural centers. I think the agricultural districts would have been better off had we had more of it and had it come into effect at an earlier date. Mr. Franks says:

> The vocational students in the Central Vocational School of Milwaukee, Wis., earn more money each year while attending school than the entire educational system costs the city of Milwaukee for all kinds of education.

That is a most startling statement. Furthermore:

> There were 63,600 part-time vocational students in the city of New York, and they earned annually while attending school $45,000,000.

Which is something over $700 per student, if I have calculated correctly in a hasty calculation.

> In 1926 the vocational educational students in agriculture alone in the State of Michigan earned more money while attending school than was expended in that State for all kinds of vocational education by Federal, State, and local communities.

Those are the results which have come from vocational education, mostly in the centers of industry. Now we come to a southern agricultural State:

> In the State of Arkansas the trained vocational students produced 230 per cent more cotton per acre than did the farmers of the State. In the State of Georgia the trained vocational students produced more than 100 per cent more cotton per acre than the average yield.

The experiment of vocational education has already been tried and has been found a success. It has been tried most thoroughly, and its results have been most felt in the towns and centers of manufacturing; but I believe the consensus of opinion in this Congress and in the Nation just now is that our greatest need is for a rehabilitation in some way of agriculture. The cry comes everywhere that agriculture is failing; that agriculture is in distress; that agriculture is not paying its actual expenses; and that the rural people are the people who are suffering just now financially, while the rest of the country and almost every other branch of activity is prosperous. I have heard it stated that within from 15 to 20 years our agricultural population would entirely change; that from one-fifteenth to one-twentieth of the whole agricultural population were leaving the farms every year and going to the towns and to the manufacturing centers. Therefore in from 15 to 20 years our agricultural population will change absolutely. Now, it seems to me we can not possibly find a more effective way of doing something worth while for agriculture than to replace that shifting population by a permanent agriculturally trained population; replace it by people who have grown up on the farm, and as they have grown up to manhood and womanhood there they have learned to love the farm and have acquired skill and progressiveness in the matters of farm life.

As I have observed in my own State, as I have gotten information on the Committee on Education, and as I have studied it everywhere, it seems to me the Smith-Hughes work is really doing more as an agricultural relief proposition; it is doing more to really reestablish agriculture, and will in the end mean more as a real agricultural program than any other legislation that has been proposed.

Along with our need of the rehabilitation of agriculture is our need of a permanent and progressive rural population. We have quoted until it has grown old:

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates and men decay.
> Princes and lords may flourish or may fade,
> A breath can make them, as a breath has made;
> But a bold peasantry, their country's pride,
> When once destroyed, can never be supplied.

We do not like to say "peasantry," but, rather, a bold, rural population; and we do more for the safety of this country when we are working to a real development of high-grade, happy, satisfied, prosperous rural population—we are doing more for the defense of the country, I will say, than when we are building cruisers and enlarging armament. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield two minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, having observed the operation of this law during the past 12 years at rather close range and having given it considerable study, I am very pleased to have the opportunity of supporting additional legislation along this line.

I shall vote for the bill because I believe it will assist in educating the boys and girls of the country, and not only educating them but educating them for some specific vocation. They will be better prepared to do their work in rural life than they would be without this legislation. Any help, any encouragement, that we can give to these young Americans should be given. This recognition by the Federal Government will serve as a further stimulus in their efforts to develop the country districts and to make life there more worth the living. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield two minutes to the gentleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee; in the wide range which the discussion of this very important legislation has covered this afternoon, there is one thought which I have not heard advanced. I refer to the relief that will be given to the people throughout the United States, particularly in rural sections, by way of lessening the burden of local taxation. Everyone familiar with the tax situation in the country generally knows that to-day the people in the rural sections are bearing relatively a very heavy burden of the taxes. School and road taxes make up the larger part of this burden. Practically every discussion on farm relief to which I have listened and every speaker who has given any thought to this fascinating theme agree that in the degree we can lessen the burden of local taxation for the support of the necessary institutional life in the country we will make one of the very best contributions toward substantial and permanent farm relief.

It is unnecessary to undertake to add anything to the discussion by way of emphasizing the importance of education for the boys and girls of the open country and particularly that form of education which emphasizes the vocational side. There are thousands of boys and girls who will never be able to take advantage of a college course and yet desire to prepare themselves in every way to be successful farmers and home makers. This bill will make available additional funds to enable the States to extend this form of education much more widely in the rural sections of the country and at the same time relieve the local community where such vocational high schools are established of bearing the whole burden of taxation. Because of the fact that the bill under consideration this afternoon enlarges the opportunities for high school vocational education in all sections of the country and at the same time relieves the local community of bearing the whole burden of operation, I am most heartily in favor of it and I desire to congratulate the committee upon having advanced consideration of the bill to the point of passing it.

When this measure is taken into consideration in connection with the increased appropriation made by the first session of the Seventieth Congress for the encouragement of boys and girls' club work throughout the country, I feel certain that rural life generally, and particularly the boys and girls in the open country are provided the greatest possible encouragement toward securing the training that will better fit them to carry on efficiently in two great fundamental callings of life in the United States, namely, agriculture and home making.

Mr. REED of New York. Mr. Chairman, the constitutionality of this bill has been questioned, and I wish to answer that. My time is about up and I shall therefore ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. REED of New York. I want to touch for a moment on the constitutional question. That point has been raised here, and I want to answer it. From remarks made on the floor today you would think that the Federal Government had no authority and no right to make appropriations to help the cause of education. The authority for these appropriations is to be found in section 8, Article I of the Federal Constitution, which reads as follows:

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

This clause has given rise to much controversy, but the interpretation given to it by Story in his great work on the Constitution has been followed by Congress in practice since the Government went into operation. As Story observes, the clause should be read as follows:

> Congress shall have power to lay and collect taxes, duties, imposts, and excises, in order to pay the debts and provide for the common defense and general welfare of the United States, the common defense and general welfare and the payment of the public debts being the ends for which the power is conferred, and taxation a means for their attainment.

This is the interpretation placed on this clause by Hamilton in 1791, in his report On Manufactures, who stated it as his clear opinion that the phrase "general welfare"—

> is as comprehensive as any that could have been used—

And that—

> there seems no reason to doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce, are within the sphere of the national councils as far as regards an application of money, the only qualification of the generality of the phrase in question which seems to be admissible is this: That the object to which an appropriation of money is to be made must be general and not local, its operation extending in fact, or by possibility, throughout the Union and not being confined to any particular spot.

President Monroe in an elaborate and cogent paper entitled "Views of the President of the United States on the Subject of Material Improvements," submitted with his veto in 1822 of the Cumberland Road bill, took the same view. His attitude is expressed in the following sentence:

> My idea is that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted only by the duty to appropriate it to the purposes of common defense and of general, not local, national, not State, benefit.

Since the Civil War there has been no President who denied the right of Congress to raise and appropriate money for purposes of general welfare because such purposes were not within the fields in which Congress is, by other provisions of the Constitution, empowered to legislate.

The appropriations made annually since 1862 for the Department of Agriculture, the Department of Labor, the Bureau of Mines, and the Bureau of Fisheries can find no justification except under a power to raise and spend money for "the general welfare."

It will be noted, too, that by the Adams Act, the Smith-Lever Act, the Smith-Hughes Act, Congress has made appropriations of large sums of money raised by general taxation for the advancement of education throughout the country.

The same is true of appropriations for the relief of sufferers from disaster in this country, of appropriations for polar expeditions, and for the observations of eclipses of the sun, and for participation in expositions. The relief for sufferers abroad goes even further, as, for example, the appropriation of $20,000,000 for grain for Russia.

In commenting upon Article I, section 8, to which reference has been made, John Norton Pomeroy, in his work on Constitutional Law, section 275, makes this observation:

> What measures, what expenditures, will promote the common defense or general welfare Congress can alone decide, and its decision is final. It is certainly not necessary that any particular expenditure should be spread over the whole country to bring it within the meaning of a defense which shall be common, or a welfare which shall be general. * * * Congress expends vast sums of money in the erection and adornment of a Capitol, in furnishing a library, in the purchase of pictures, statues, and busts, in endowing a scientific institution; but it is not claimed that these disbursements are not made for the general welfare. * * *

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

> *Be it enacted, etc.*, That for the purpose of providing for the further development of vocational education in the several States and Territories there is hereby authorized to be appropriated for the fiscal year ending June 30, 1929, the sum of $500,000, and for each year thereafter, for 11 years a sum exceeding by $500,000 the sum appropriated for each preceding year, and annually thereafter there is permanently authorized to be appropriated for each year the sum of $6,000,000. One-half of such sums shall be allotted to the States and Territories in the proportion that their farm population bears to the total farm population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors of agricultural subjects in such States and Territories. The remaining half of such sums shall be allotted to the States and Territories in the proportion that their rural population bears to the total rural population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors, development and improvement of home economics subjects in such States and Territories.

Mr. REED of New York. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

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

The Clerk read as follows:

Amendment offered by Mr. REED of New York: Page 1, line 6, after the words "June 30," strike out "1929" and insert in lieu thereof "1930."

The amendment was agreed to.

The CHAIRMAN. The gentleman from New York offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: Page, 1, line 7, after the word "for," strike out the word "eleven" and insert in lieu thereof the word "four."

The amendment was agreed to.

The CHAIRMAN. The gentleman from New York offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 8, after the word "year," insert a period and strike out all of line 9 and line 10 down to and including "$6,000,000."

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. TARVER. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

At the end of line 18, page 3, strike out the period and insert a semicolon, and add the following words: "and except that for each dollar of Federal money expended the State shall expend an equal amount for the maintenance of such training, and distribution of teachers of agricultural and home economics subjects shall be had in accordance with the need existing in various localities of the State, and without depriving communities unable to contribute to the expenditure for such purposes, or benefits of such act on account of such failure to contribute."

Mr. TARVER. Mr. Chairman, this is the amendment to which I addressed myself in general debate. It proposes to change the method of matching only, so as to require matching by the State as a whole, instead of matching by the State or locality or local community. I explained a while ago what to me seemed the evils of the present practice. This does not affect the $6,000,000 paid out annually under the present law. It has reference only to how the matching will be done under this bill. The average amount appropriated to each State for the first year would be $10,000. I want to provide, and do provide, that that paltry additional appropriation may be spent by the State board for vocational education according to the needs of the various communities of the State, and without regard to their ability or not to match the Federal fund.

Mr. SNELL. Will the gentleman yield?

Mr. TARVER. Certainly.

Mr. SNELL. As far as the first part of the gentleman's amendment is concerned, I do not know that I have any objection, but it seems to me that the last three or four lines of the amendment goes farther than the gentleman really wants to, as it changes the discretionary power which at the present time is lodged in the vocational board of each State. I am not certain but what that would mix up the whole proposition.

Mr. TARVER. I had no purpose of bringing that result about. The latter part of my amendment was added in explanation of the first part. As far as I am concerned I have no objection to modifying the amendment so as to provide only that the appropriations shall be matched by the State.

Mr. SNELL. As I understood the gentleman to say when he conversed with me was that he wanted the funds matched by the State as a whole and not by local communities

Mr. TARVER. The gentleman is correct.

Mr. SNELL. And I think he would accomplish that result by striking out the last part of his amendment.

Mr. TARVER. Mr. Chairman, I ask unanimous consent to modify my amendment by eliminating all of the amendment after the words "such training" in line 3 of the amendment.

The CHAIRMAN. Without objection, the gentleman from Georgia will be allowed to modify his amendment.

Mr. MONTAGUE. Mr. Chairman, may we have the modified amendment read as it now stands?

The Clerk read as follows:

Modified amendment: At the end of line 18 strike out the period, page 3, and insert a semicolon, and add the following words: "and except that for each dollar of Federal money expended the State shall expend an equal amount for the maintenance of such training"——

Mr. TARVER. Mr. Chairman, I ask unanimous consent, if my time has expired, to proceed for an additional five minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. WRIGHT. Will the gentleman yield?

Mr. TARVER. Yes.

Mr. WRIGHT. Does not the gentleman understand that everything in his amendment is provided for under existing law?

Mr. TARVER. I do not.

Mr. WRIGHT. Suppose the gentleman's amendment is adopted and some State fails to match the Federal fund? Would not the opportunity be lost?

Mr. TARVER. The gentleman will remember that in the legislation under which Federal aid is furnished roads the allocation is made on the condition that the amount is matched by the State. That is just the condition I want provided in this bill. I want the matching done by the State, not local communities, so the poorer communities can get some of it. I have not been advised of any State failing to match the Federal appropriation as far as roads are concerned. I called attention a while ago to the fact that the average amount for each State for the first year is only $10,000 under this bill. There is now being paid out $6,000,000 each year, and should not we be willing to let this additional $10,000—the average that will go to each State for the first year—be placed where the need is the greatest in the discretion of the various State boards for vocational education?

Mr. WRIGHT. I am trying to get the effect of the gentleman's amendment.

Mr. TARVER. I think I got the effect of the gentleman's question.

Mr. WRIGHT. If the State does not match this allocated amount as a State, does not the State lose the amount allocated to it out of the Federal funds?

Mr. TARVER. Certainly; but there is no question but that the gentleman's State and mine will match the small amount provided by the Federal Government under this bill. The only reason States do not do that now is because they realize the local communities will do it, and when they do then necessarily the Federal aid goes to those communities able to do that, and those who are not able to do it and who really need the help the worst get nothing.

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

Mr. TARVER. Yes.

Mr. TILSON. Is not that a matter that the States ought to settle among themselves, and do not the States know better the needs of the several communities than we in Washington can possibly know?

Mr. TARVER. I do not think we ought to extend to the States an invitation not to match the Federal fund by providing that it may be matched by these various communities, and, therefore, an invitation to follow the practice which has been followed with such disastrous results so far as the needy portions of the States are concerned.

Mr. TILSON. It occurs to me that we are going far enough in matching dollars with the States without going still further and matching with the communities. It seems to me that the States ought to arrange that matter themselves.

Mr. TARVER. That is the position that I take, that the matching ought to be done by the States, and that the local communities should be left out of it. Then the poorer communities could get some of the money.

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

Mr. TARVER. Yes.

Mr. BANKHEAD. Let us get this matter cleared up. From the question asked by the gentleman from Connecticut [Mr. TILSON], the inference might be left in the minds of some that under existing law local communities can not match the Federal Government. As I understand the existing law, not only the States may do it but the local communities in the absence of the State may meet that obligation and can match the Federal fund and get the benefit of the Federal appropriation.

Mr. TARVER. By reason of the conditions I tried to point out to the House, the communities able to do the matching get all the money. I want to provide what the gentleman from Connecticut suggested, that the matching be done by the States, and that the law leave the local communities out of it entirely, and then let the State boards exercise their discretion as to where the money should go.

Mr. BANKHEAD. Under existing law the Federal national board can not deal directly with the local communities in allocating this fund. They have to deal through the States' educational authorities.

Mr. TARVER. They deal through the State boards for vocational education.

Mr. DENISON. Is not the fundamental principle of the whole legislation to try to induce the States as States to go into this vocational education?

Mr. TARVER. Yes; and especially to help the helpless and not those who do not need help.

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

Mr. REED of New York. Mr. Chairman, the amendment offered by the gentleman from Georgia [Mr. TARVER] was considered by the committee very carefully. It is not the purpose of this legislation to step in and try to dictate to the States what ought to be done in the matter, and I think this amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 10, noes 65.

So the amendment was rejected.

The CHAIRMAN. Under the rule the committee will now rise and report the bill back to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1731) to provide for the further development of vocational education in the several States and Territories, and reported the same back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Under the rule the previous question is ordered on the amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

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

On motion of Mr. REED of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS FEBRUARY 22, 1929

Mr. SNELL. Mr. Speaker, I ask unanimous consent that on February 22, 1929, after the disposition of business on the Speaker's table, the gentleman from Pennsylvania [Mr. BECK] may have one hour in which to address the House on the life and character of George Washington.

The SPEAKER. The gentleman from New York asks unanimous consent that on February 22, 1929, after the reading of the Journal and the disposition of matters on the Speaker's desk, the gentleman from Pennsylvania [Mr. BECK] may proceed for one hour on the subject of George Washington. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I am not going to object, but I rise to ask whether it is the purpose to follow the usual program on that day and have Washington's Farewell Address read to the House?

Mr. SNELL. I do not know that there has been any program suggested, but there is nothing to interfere with having that done later, if the Members of the House desire it.

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

There was no objection.

EXTENSION OF REMARKS—VOCATIONAL TRAINING

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that all Members of the House have three legislative days in which to extend their remarks on the bill just passed.

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

Mr. HALL of Illinois. Mr. Speaker, I ardently favor the passage of S. 1731 as an aid to vocational training. Looking back over the past fifty-odd years I can not but be impressed with the importance, the dignity, and sterling worth of a measure whose purpose it is to give to the youth of our Nation the advantages of the trained hand as well as the trained mind. At no time in the history of the world was there greater call for the people of the world to have a revival of devotion to duty through efficient and painstaking toil.

Work is not a curse, as some seem to think. It is God's medium of happiness. To have a job, to do that job well, is the secret of success and happiness; and it does not make much difference what the job is. The founders of the Republic were the hardest working people of history. They thus created within a century a nation which leads the world in government, science, art, mechanics, and production for human needs. Their life and example proves the theory that genius is as closely allied to perspiration as to inspiration.

The added charm that American ideals have given to human industry is illustrated in the progress of the Nation as the founders of the Republic toiled to clear the forests and to build homes and schools and churches and factories; and as they toiled they prayed, and thus laid wide and deep the foundations of a model human government. They applied their skill of mind and heart and brain to the invention and building of machines, to the harnessing of the forces of nature for use in the service of mankind, making it easier to acquire the necessities and more possible to enjoy the luxuries of life than has ever before been known in any land in any age.

It is a serious duty that now devolves upon the present generation following such a noble history of the example of our forefathers. Are we assuming as wholesome and as normal an attitude toward plain, honest work as characterized the activities of those who showed us the way? Their precepts and our blessed heritage of a desire and ability to efficiently toil has been unequaled in the annals of the human race.

The fourth commandment of the Decalogue is that "Six days shalt thou labor." This was not for our punishment. It was for our good. In recent years, however, there has evidently been too much of a disposition to substitute speculation, commercial gambling, cleverness, shrewdness, and scheming for clean, straight, constructive achievement through the process of honest individual effort and stable organized endeavor.

Christ in this twelfth year said to his mother: "Wist ye not that I must be about my Father's business?" Most of the great men of this country have been sons of widowed mothers. It is extremely probable that much of their greatness is due to the fact that in their early life they were required to be "about their father's business," in order to provide for themselves, for their mother and her family and thereby learning the lessons of responsibility, judgment, and decision to be acquired only by useful work. It frequently becomes too tempting to concentrate on "How much can we get?" instead of "How well can we serve." As sure as night follows day, ultimately, in the great plan of Divine Providence, the law of compensation will work as does the law of gravitation. "He profits most who serves best."

Out of the vortex of destruction and waste of the great war America has again set her face toward the dawn; the dawn of a brighter and a better civilization. To attain this there must come a renewed dedication to personal industry and by precept and example carry on the good work of the fathers. It should be the supreme purpose of every home and school and church, and on every farm and in every kind of business to make work more congenial, more interesting, more equitable, more productive, more attractive. America is calling to-day for more men and women to watch, to stand fast, to be strong, to keep the faith of the fathers, and to work.

The whole plan of creation and existence contemplates the necessity and joy of work. One of the grandest old songs ever set to music is "Work, for the night is coming."

It is not given to all of us to serve our country in a military way. We can not all die for our country, but we can do that thing which now and here confronts us, we can all live for our country, obey its laws, and work for its continued progress. In doing this we must be prepared and we must see to it that future generations are prepared. Preparation is in teaching the mind and hand how to work.

The old idea of human progress was that only by slow and almost imperceptible steps can civilization evolve to its highest forms or the inherent evils of human society overcome. To-day science has so revolutionized most of our early concepts that we find many of the things we have believed in unable to bear the clear light of critical analysis.

The early history of our country demanded the public school. To-day the times demand another equally important step to accelerate the evolution of social progress, to prevent decadence, and to keep step with the rapid strides of the mechanical arts.

The people need and demand a broader, deeper, more complete education, expressed in terms of present-day conditions and made universal just as was the public school. Benjamin Franklin's father took his boy out walking to observe various tradesmen at work in order to learn the youth's particular bent or inclination. All parents do not exercise the same wise forethought, but vocational guidance is now becoming recognized as a legitimate and important function of the public school.

It is said that the most dangerous point in the lives of children in the elementary school is the moment at which they leave it. Unless children are properly directed at this turning point in their lives, the knowledge and discipline acquired at school may be lost and they may become eventually unfit either for employment or for further education.

Boys and girls on leaving school are thrust into industry in great numbers, and are employed merely as process workers and not as apprentices. Too many boys fall into the casual employments or blind-alley jobs that drive them into the ranks of the unskilled, and later they drift along as vocational tramps. New demands are therefore made for solving the problem of vocational education.

In our colleges, seminaries, and universities, where pure science should have its best expression, we too often find instead the most persistent adherence to the old and unscientific methods of memory cramming, with total neglect of mind and hand training. This system is in direct antagonism with the teaching of Spencer, that a more scientific and practical education not only better fits for complete living but for higher attainments and the enjoyment of all that is ethical and æsthetic in life.

It is to meet this emergency in our educational system that the vocational school has come into existence. The remark is often made that our social progress does not keep pace with our mechanical progress. To prepare for the higher civilization that is surely coming, the first and most important step is to introduce a general system of industrial and vocational education which, as a noted expert declares, "produces a new and superior order of people."

If our civilization is to reach its highest attainment, we must come to see that no aim or object of social desire is so great as the best possible development and training of the average citizenship; and the present haste and waste of rushing immature children from the schools into bread-winning life, to become, like the machines they operate in factory and shop, mere automatons, is most harmful and is ultimately destructive of national permanence.

Pupils who enter a vocational school at 14 to 16 years of age can not begin life in any possible manner so hopefully, so advantageously, as through a course that from its very nature draws out and develops the thinking powers and applies the thinking to practical work with the hands. The whole effort of working to create the needs of physical life, aside from its healthful, hygienic value, is admirably adapted to develop the ability to reason from cause to effect and thus strengthen the logical powers.

Man is essentially a creator, and the development of his creative faculties as a necessary part of his education is an economic necessity. It is but little use to develop the receptive powers of the brain without at the same time and as a necessary reflex action developing the active and formative powers of the hand.

Skilled labor is a part of morality and religion and the culture of the mechanical productive faculties a portion of spiritual growth. Attempts at the elevation of the race merely by storing the mind with facts and literary concepts while neglecting to develop the creative powers of the brain and the dexterity of the hand have been discredited. The pathway of all race progress with each individual of the race is identified first by the cultivation of the hand to do, then of the brain to remember how and why.

To express one's self and to develop individuality by the creative skill of the hands is a foundation principle of progress, and we can best develop the latent faculties of the race by adhering to this philosophy. Vocational training is built upon this broad and secure foundation and is allied with all that is best in the constructive ideals of our social and industrial life.

I am in favor of the provisions of the bill. I shall vote for it, and I hope it will pass.

Mr. COCHRAN of Missouri. Mr. Speaker, my opposition to this bill is based solely upon the ground that it is another Federal-aid measure, and Congress, in my opinion, has no authority to vote public funds for such purpose.

I do not question the advisability of educating children in the rural district, but it should be left to the several States, and the Government should not be asked to make any contributions for such a purpose.

No one realizes the value of education better than I do. I want to see all children, regardless of where they reside, receive a proper education.

Being opposed to all Federal-aid measures I intend to be consistent and vote against this appropriation.

The original bill which the chairman of the Committee on Rules tells us will be amended by the chairman of the Committee on Education provided for a continuing appropriation of $6,000,000 annually. This continuing feature will be eliminated. I mention this because it will be shown that the purpose is not only to stimulate the States to appropriate money for vocational education, but as the original bill provided an annual appropriation of $6,000,000 it is clear the committee decided that it should go on for all time. We were told to-day this amendment is entirely satisfactory to the proponents of the proposition. They are willing to take anything they can get.

The boys and girls on the farms are entitled to an education. My State sees to it that they receive one, and it does not require any stimulating from the Federal Government.

The gentleman from Virginia [Mr. TUCKER] has challenged any Member of the House to point out to him any clause in the Constitution that justifies the passage of this bill or extends authority to the Congress to enact such legislation. When this challenge was made I noticed on the floor the presence of a number of Members well qualified on constitutional questions but there was no reply to the gentleman from Virginia's challenge. The people seem to feel they are getting something for nothing in Federal-aid measures. The truth of the matter is the money allocated to the States for such projects is taken from the States in the form of taxes. If the Congress will discontinue these Federal-aid projects then there might be an opportunity to pass a substantial tax reduction bill.

Meritorious projects now stimulated by Federal aid will be carried on by progressive States when the Federal aid is discontinued.

Mrs. LANGLEY. Mr. Speaker, during my services as a Member of this body, one truth has been brought forcibly to my attention. Whenever legislation which vitally affects the welfare of the youth of our country is presented to the House, the sentiment is unanimously in favor of that legislation, which is just as it should be.

There has never been a time within the memory of living man when the sentiment favoring the hope of our land, the youth of to-day, is as direct, as emphatic, and all prevailing than at the present time.

The welfare and development of those living in the rural sections is of paramount importance and should claim our immediate attention and consideration. The life of our Nation depends largely upon the happiness and contentment, the education and development, the furtherance of the interests of the masses of nature's noblemen, the farmers of this great country.

The bill now under consideration, which carries an additional fund for further development of vocational education in the several States, is a work which it has been my privilege to personally see effectively carried forward in my own State of Kentucky.

I represent a rural and mining section, and we have been confronted with the distressing problem of finding productive farm work for our boys and girls who have been leaving the rural sections seeking other fields for wider opportunity, and there has been a widespread need for vocational aid of this character to conserve and develop the natural resources of the farms, thereby promoting productive agriculture as well as preventing waste of human labor.

I feel this aid, which was initiated in 1917, has obtained the entire confidence in those States where it has been in operation; and when we are confronted with the data that the States are now spending for vocational education $2.65 for each dollar of Federal funds used, we can in part realize the great value this Federal aid is to the States availing themselves of this opportunity. The benefits to the communities thus aided has been of inestimable value.

As I understand it, one of the aims of this great educational work is to bring the school back into line with the farm in a helpful, practical way, and to train the farmers to utilize many new improvements in farming implements and machinery, such as tractors, and so forth, at the same time to teach them to grow and market crops and livestock.

One of the greatest benefits to be derived from the work as carried forward in vocational education is the aid to the home makers. The home is the altar of national love and national service and should be the center but not the boundary of our obligations.

The welfare of this country and the good of its people, all gravitate around the home maker, and I sincerely feel that in the upbuilding and perfecting of the duties which devolve around the housewife, the mother, at the helm, with the spokes of the wheel as typefying the boys and girls in the home, is most surely safeguarded, furthered, and promoted by the work as carried forward under the provisions of this bill.

With all the facts which have been so ably presented by the distinguished chairman of the Committee on Education, Mr. REED of New York, and other Members of the House, the

Member from the tenth congressional district of Kentucky earnestly hopes that this bill, which is of immeasurable value to the farms, the boys and girls, and last but not least to the homes in the rural sections, and which gives to them the just and fair recognition to which they are entitled, be given the entire support and approval of the House. Hold fast to that which is good.

After all is said and done in life and living, in industry and toil, in all that affects the welfare of men, women, and children, all States are alike hurt and helped by the same causes.

The work as carried forward under the Smith-Hughes bill has been of great value to agriculture and the service to the communities tremendously important.

The pending measure, while it does not involve a large expenditure by the Federal Government, will give a fair and equitable allotment to the several States and will greatly stimulate the rural communities.

Go with me back to the early days and see the masses of the world's workers, the delver in the coal mine on his side crawling to his dark task with no room to stand, see the plodding farmer with his hoe at noonday in the burning sun, see the countless men and women working unceasingly amid the crowded conditions of the factories, all a vast army struggling for existence, then visualize the present day with all its improved methods devised to aid the working classes, and the measures passed by Congress to promote the onward march of civilization. I believe that one of the greatest factors which brought about the sweeping and deserved popular vote received by Herbert Hoover as President of the United States was the recognition by the home makers of this country that he understood their problems and would promote all constructive legislation which would directly and indirectly aid and further their interests.

Home, fireside, and kitchen know the great benefits to be derived from this measure. The housewife knows that a plan, wise and practical, is helping to transmit her work to beneficial results. The hour of battle to win in every avenue of human achievement is at hand. In the midst of the world's fiercest competition we must go forward or we are lost.

To-day we are striving to make the paths of our children and our children's children easier by giving them aid in vocational education, so that those who come after us may move onward, ever forward, and thus pass on into the promised land of turning wheel and glowing forge, of happy homes and smiling fields, where God shall bless them with peace and plenty.

Mr. GREGORY. Mr. Speaker, agriculture is the basic industry of the Nation. It is the foundation of all wealth, the bulwark of all material progress. It buttresses and supports every line of useful human endeavor. While the products of the toil of others add to the comforts and conveniences of life, man could live without them; but the fruits of the farmer's toil of hand and brain are absolutely essential to human existence. In other days the farmer was the leader in the business and political affairs of the country; but in recent years he has been compelled to wage a losing battle, while others have outstripped him.

The clamor of the market place and the din and roar of whirring wheels and spindles in our great industrial centers have so stifled his voice that it is now heard but feebly, if at all. He no longer enjoys the God-given right of fighting for prosperity and success upon a basis of economic equality with other industries. He neither has anything to say about the price which he receives for his raw materials, nor has he any voice in determining what he shall pay for the products out of which his raw materials are finished. He is denied a just share of the wealth which he has created. Through an ingenious manipulation of the tariff and through other means fostered by governmental favoritism, he has seen others wax fat with prosperity, while profits have slipped from his hands and the accumulations of years of honest toil have rapidly faded away. Since 1920 the values of farm lands and of farm products have sustained the appalling shrinkage of more than $30,000,000,000. In the last 15 years the farmer has seen his taxes increase more than 150 per cent, while to-day he is receiving an increase of only 30 per cent above what his crops brought to him 15 years ago. In that period commodities bought by the farmer for use in production, plus wages paid to hired labor, have increased more than 50 per cent, and commodities bought by him for the maintenance of his family have increased 60 per cent in price. The fortitude and the patience with which the farmers of the country have borne their burdens are most remarkable and inspiring, and I am happy to know that, notwithstanding his misfortunes, the love of the farm still abides in the farmer's heart.

The political party which has been in complete control of all branches of the Government for the last eight years, and which will have control of the executive agencies of the Nation for the next four years and of the legislative branch for the next two years, is under solemn pledge "to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industries to insure its prosperity and success."

I hope time may demonstrate that this solemn pledge made to the electorate was not made for the purpose of catching votes, but that it was made with the determination to live up to it in every respect. I am a Democrat, representing a great constituency composed largely of Democrats, but I want to see the Republican Party redeem this pledge within the very near future, and I shall be glad to join with my Republican friends in Congress in any proper effort to relieve the widespread distress from which the agricultural interests are now suffering.

But for the passage of the Smith-Hughes Act in 1917, and other measures enacted under the Democratic administration then in power, hundreds of thousands of young men now on farms, furnishing the raw materials which give life and prosperity to our industrial centers, would have been lured away from the farm to compete with labor in our cities. While these young men, who have attended vocational schools and have remained upon the farm, have not received the material reward to which they were entitled, they have been impressed with the dignity and importance of their avocation, and dwellers in cities have enjoyed increased benefits.

The bill now under consideration, providing for additional appropriations for the teaching of agriculture and home economics to the boys and girls of the rural sections of our country, will not relieve the distressing conditions now prevailing in agriculture, but it is a step in the right direction. It is a recognition of the importance of training young men and young women to cope with the intricate and complex problems which have become so acute and pressing to all who are engaged in the pursuit of agriculture. In traveling through the district which I have the honor to represent I have witnessed a marvelous transformation in school and community activities since vocational education has been taught in our rural schools.

I attended a number of school fairs held in my district last fall, and was delighted to find the boys and girls deeply interested in all those things which add to the comfort, convenience, and happiness of home life on the farm. At these school fairs there were exhibited the better grades of livestock, poultry, fruits, vegetables, grains, and other farm products, as well as the handiwork of the girls, and these fairs compared favorably with the county fairs of previous years. The intelligent and friendly rivalry engaged in by the different schools must have a beneficial influence on the communities in which they were held. This awakened interest in agriculture not only means that we shall have better crops and better livestock in the future but also that the farmer shall again assume his rightful place in the leadership of the business, political, and social affairs of our country. These vocational schools have also benefited those who, by reason of age, have been unable to attend them, for the enthusiasm of the boys and girls has been carried to their parents, creating a wholesome influence in community life.

In Kentucky, while we are considering this bill, honor is being paid to the 10 leading farmers of that great Commonwealth. One of these so-called "master farmers" to whom our State is paying tribute hails from the county in which I live, and I feel assured that the great work which he has done on the farm has been inspired largely by the teaching of vocational education in the community in which he lives. I know of no greater honor that could have befallen Mr. M. D. Harrison than to have been chosen as one of the 10 "master farmers" of the State of Kentucky, and I rejoice that this distinction has been bestowed upon one of the worthy citizens of my district.

Mr. Speaker, I am heartily in favor of the passage of this bill, because I believe its enactment into law will speed the coming of the day when the boys and the girls on the farm will have the same opportunities for happiness and prosperity which are enjoyed by the boys and girls in our great cities.

Mr. JENKINS. Mr. Speaker, The principle involved in the Reed-Menges bill is no departure. It is simply a measure to provide for an increase of the contribution of the Federal Government to high schools for the teaching of agriculture and home economics. It involves the same principle identically as the Smith-Hughes Act. Hundreds of schools have been functioning under this law for several years. The constitutionality of the Smith-Hughes Act has never been tested in the courts. The principle involved is also much the same as that of all measures providing Federal aid to public roads. The general-welfare

clause of the Constitution applies to the case and covers this proposed legislation completely.

When the American people adopted the Constitution with the words "promote the general walfare" in its preamble they meant in effect that the Congress of the United States would have the right to legislate on matters tending to "promote the general welfare." No one can dispute the fact that any program tending toward education and culture of the people promotes the general welfare.

Educators and school authorities of my great State of Ohio have the same reverence and respect of the Constitution as citizens of other States. But there is another document of great importance and similar significance to which they frequently look as a justification of their programs for furthering education. The Ordinance of 1787, which antedates the adoption of the Constitution of the United States, contains language of great significance. This document in bold, clear English says:

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

The Ordinance of 1787 was the constitution for the Northwest Territory. From this territory has been carved five great Commonwealths, of which Ohio is not the least illustrious. Not only does this immortal document recognize education along with religion and morality as the very corner stone of a substantial national existence, but pledges itself and the governmental agencies established by virtue of it to a program of furtherance of the means of education. The pioneers who settled the great Northwest Territory insisted that the church and the school should keep company with the advance guard of growth and progress. In keeping with this spirit there was established at Athens, in my congressional district, the first college west of the Allegheny Mountains. This college has operated with great credit to a long list of illustrious instructors and a longer list of equally illustrious alumni. This college is now known as Ohio University and is a living monument to the spirit of the sturdy pioneer and a great credit to a magnificent Commonwealth.

The spirit that actuated the Ordnance of 1787 and the spirit that established Athens College is the same spirit that causes the legislators of Ohio, year after year, to appropriate large sums of money to those sections of the State where land is poor and cheap and where the tax revenues are not sufficient to maintain adequate school facilities. In Ohio the policy is "to educate the children where they live and to tax wealth where it is found." Truly, in Ohio we maintain that "the means of education are necessary to good government."

It is little wonder, then, that the educators and school authorities of Ohio were ready to cooperate with the program of education in agriculture and rural economics as provided in the Smith-Hughes Act. Encouraged by the spirit of these advance agents of child welfare in Ohio I am proud to lend my best assistance to the passing of the Reed-Menges bill.

My State has made wonderful progress in vocational education under the provisions of the Smith-Hughes Act. Last year there were 196 high-school departments of vocational agriculture in Ohio. These departments were distributed over 77 counties of the State. In addition to the 4-year courses for high-school students, part-time and evening courses were offered to out-of-school young men and adult farmers. Nearly 10,000 students were enrolled in our various agricultural courses during the year. An important part of the vocational agriculture program is the home-project work. High-school boys produced over $300,000 worth of products from their projects during the year.

The State program in vocational home economics has been equally effective. Nearly 11,000 students were enrolled in vocational home economics courses in Ohio during the past year. Additional schools in my district are deprived of these vocational courses because of lack of funds. This bill will provide some of these additional funds. In my State more than 97 per cent of the Smith-Hughes money is used for the direct support of teachers in local communities. All of the money appropriated under this bill will be used for the establishment of new departments of vocational agriculture and home economics in my State and district. I believe in legislation which will give help to my constituents right out in the home communities where they live, and I support it most loyally.

My district has 10 high-school vocational agricultural departments which have functioned very effectively. One of these vocational agriculture instructors in my district has conducted an evening course for 14 adult farmers of his community which has continued for nearly two years. Evening classes are held once each week. These farmers carry out on their home farms the practices which they discuss in class.

I know of one instance in one of my counties where the teacher of one of these agriculture schools contributed many times more to the financial benefit of the farmers in that community than his salary amounted to. In his spare time he devised a cooperative plan whereby the growers of small vegetables and berries in that community could market their crop cooperatively. Instead of peddling their crops in competition with each other in a market that was always glutted they sent their products away to larger and higher markets in carload lots at a much better price and at a saving of the labor of hauling off and peddling. This also left a better market to those who were not able to enter the cooperation by reason of location or lack of equipment. This is an instance of practical benefit to the parents and the community. Likewise it is an illustration of where the school is brought closer in contact to the patrons. The best results in any line of education are accomplished when there is a healthy cooperation between the school and the home.

THE LATE HON. OSCAR W. UNDERWOOD

Mr. BANKHEAD. Mr. Speaker, I desire to submit a unanimous-consent request on the part of the Alabama delegation in Congress. I ask unanimous consent that the resolution by that delegation in reference to the life, character, and public services of the late Senator Underwood, of that State, be incorporated in the RECORD.

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

The resolution is as follows:

The delegation from Alabama in the House of Representatives has learned of the death of Senator Oscar W. Underwood with profound regret and genuine personal sorrow. We feel that it may be said in all candor that no American of the present generation has contributed more richly than he to the annals of the Nation.

Intrusted as he was with many positions of eminence and responsibility, he brought to the discharge of his public duties such high order of courage and intellectual capacity as to win and deserve the admiration and affection of his associates as well as the people of the entire country.

For 20 years as a Representative in Congress and 12 years as a Senator from Alabama, he rendered conspicuous and enduring service; his ability and character having won for him the official leadership of his party in both branches of Congress.

In his field of international relations he likewise achieved signal distinction, having been a member of the Washington Disarmament Conference and the sixth International Conference of American States at Habana in 1928.

At two national conventions of the Democratic Party he was a formidable contender for the presidential nomination.

In addition to being attracted by his intellectual endowments, the friends of Senator Underwood loved him for his personal charm, for his genial comradeship, and for unwavering candor and intellectual courage.

A great son of Alabama has gone to his reward. We reverently cherish his memory and honor his achievements. The historian will record the name of Oscar W. Underwood as one of the great Americans.

TO AMEND SECTION 321 OF THE PENAL CODE

Mr. HOUSTON of Hawaii. Mr. Speaker, I ask unanimous consent that I may take from the Speaker's desk the bill (H. R. 7200) passed by the Senate, a bill to amend section 321 of the Penal Code, and to agree to the Senate amendment and pass the bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (H. R. 7200) to amend section 321 of the Penal Code.

The Senate amendment was read.

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, what is this?

The SPEAKER. The question is on agreeing to the Senate amendment which has been just read.

Mr. BEGG. Has the gentleman obtained permission to take it from the Speaker's table as yet?

The SPEAKER. The question is, Is there objection? The Senate amendment has been read.

Mr. DOMINICK. Mr. Speaker, reserving the right to object, as I recall this is a bill of the Judiciary Committee of the House, and I am just wondering if the gentleman who called up the matter had consulted the chairman of the Committee on the Judiciary of the House as to whether this amendment should be agreed to.

Mr. HOUSTON of Hawaii. In the absence of the gentleman from Pennsylvania [Mr. GRAHAM] who is sick, I consulted the gentleman from Missouri [Mr. DYER] who has seen most of

the members of the committee as nearly as he could and found no objection to the amendment. It is acceptable to the introducer, who was myself. It simply extends to the Territory the measure of local self-government that is now in fact in the possession of Porto Rico and the Philippines, and I hope very much there will be no objection.

Mr. DOMINICK. I have not had an opportunity to compare the Senate amendment with the original House bill, but I think the House bill was entirely stricken out and a new Senate bill inserted, but I think under the circumstances the gentleman may well let the matter go over.

Mr. HOUSTON of Hawaii. If the gentleman will reserve that for a moment, the bill passed by the Senate is substantially the same as the bill passed by the House, except it has been checked over by the legislative drafting clerks, which was not done in the preparation of mine.

Mr. DOMINICK. I hope the gentleman will withdraw his request for the time being.

Mr. HOUSTON of Hawaii. I will withdraw the request.

Mr. DOMINICK. I would like to look into the matter.

The SPEAKER. The gentleman from Hawaii withdraws his request.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 1142. An act amending the act of January 25, 1917 (39 Stat. L. p. 868), and other acts relating to the Yuma auxiliary project, Arizona; to the Committee on Irrigation and Reclamation.

S. 1338. An act for the relief of James E. Jenkins; to the Committee on Claims.

S. 2192. An act for the relief of Lemuel Simpson; to the Committee on Military Affairs.

S. 3770. An act authorizing the Federal Power Commission to issue permits and licenses on Fort Apache and White Mountain Indian Reservations, Ariz.; to the Committee on Indian Affairs.

S. 4125. An act to amend chapter 15 of the Code of Law for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 4691. An act to extend the provisions 18a of an act approved February 25, 1920 (41 Stat. 437), to certain lands in Utah, and for other purposes; to the Committee on Public Lands.

S. 5093. An act to authorize the issuance of certificates of admission to aliens, and for other purposes; to the Committee on Immigration and Naturalization.

S. J. Res. 201. Joint resolution restricting the Federal Power Commission from issuing or approving any permits or licenses affecting the Colorado River or any of its tributaries, except the Gila River; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 29, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, January 29, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To amend the Foreign Service buildings act, 1926, as amended (H. R. 15735).

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 1

(10 a. m.)

Directing the Comptroller General of the United States to readjust the account between the city of Baltimore and the United States (H. J. Res. 308).

To confer jurisdiction on the Court of Claims to certify certain findings of fact (H. R. 15520).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

COMMITTEE ON RIVERS AND HARBORS

(10.30 a. m.)

To authorize the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor (S. 1710).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10 a. m.)

Continuing the powers and authority of the Federal Radio Commission under the radio act of 1927 (H. R. 15430).

COMMITTEE ON WAYS AND MEANS

(10 a. m. and 2 p. m.)

Tariff hearings as follows:

SCHEDULES

Spirits, wines, and other beverages, January 29.
Cotton manufactures, January 30, 31, February 1.
Flax, hemp, jute, and manufactures of, February 4, 5.
Wool and manufactures of, February 6.
Silk and silk goods, February 11, 12.
Papers and books, February 13, 14.
Sundries, February 15, 18, 19.
Free list, February 20, 21, 22.
Administrative and miscellaneous, February 25.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

776. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1930, in the sum of $100,000 to enable the Chief Executive to continue the litigation to cancel certain leases of oil lands and incidental contracts, and for other purposes (H. Doc. No. 534); to the Committee on Appropriations and ordered to be printed.

777. A communication from the President of the United States, transmitting deficiency estimate of appropriation for the Post Office Department for the fiscal year 1928, $1,000, and supplemental estimates for the fiscal year 1929, $18,325,000; in all, $18,326,000; also a draft of proposed legislation affecting the use of an existing appropriation (H. Doc. No. 533); to the Committee on Appropriations and ordered to be printed.

778. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the National Home for Disabled Volunteer Soldiers, for the fiscal year ending June 30, 1929, $462,500, and for the fiscal year ending June 30, 1930, $1,414,820, to provide additional amounts for personal services (H. Doc. No. 532); to the Committee on Appropriations and ordered to be printed.

779. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1930, for the Navy Department, amounting to $450,000 (H. Doc. No. 535); to the Committee on Appropriations and ordered to be printed.

780. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year ending June 30, 1929, for the Navy Department, amounting in all to $4,050,000 (H. Doc. No. 563); to the Committee on Appropriations and ordered to be printed.

781. A letter from the Secretary of the Navy, transmitting proposed draft of a bill to establish a naval airship base in one of the Pacific coast States; to the Committee on Naval Affairs.

782. A communication from the President of the United States, transmitting supplemental estimates by the Bureau of the Budget of appropriations for the Department of State for the fiscal years 1929 and 1930, amounting to $45,668.50 (H. Doc. No. 537); to the Committee on Appropriations and ordered to be printed.

783. A communication from the President of the United States, transmitting supplemental estimates by the Bureau of the Budget of appropriations for the Department of Commerce for the fiscal year ending June 30, 1928, amounting to $174.32, and for the fiscal year ending June 30, 1929, amounting to $272,434 (H. Doc. No. 538); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HALE: Committee on Naval Affairs. H. R. 10664. A bill for the relief of the State of Maine; without amendment

(Rept. No. 2249). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBSION of Kentucky: Committee on Mines and Mining. H. R. 15861. A bill to amend section 5 of an act approved March 2, 1919, known as the war minerals act; without amendment (Rept. No. 2250). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 8146. A bill authorizing an appropriation for the construction of a hard-surfaced road across Fort Sill (Okla.) Military Reservation; with amendment (Rept. No. 2263). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Irrigation and Reclamation. H. R. 16082. A bill to authorize the disposition of unplatted portions of Government town sites on irrigation projects under the reclamation act of June 17, 1902, and for other purposes; without amendment (Rept. No. 2264). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. S. 1271. An act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes, by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and by providing funds for the establishment of such areas, their maintenance, and improvement, and for other purposes; with amendment (Rept. No. 2265). 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. WURZBACH: Committee on Military Affairs. H. R. 5933. A bill for the relief of Mabel L. Brown; with amendment (Rept. No. 2245). Referred to the Committee of the Whole House.

Mr. BOYLAN: Committee on Military Affairs. H. R. 10200. A bill for the relief of Carrie McIntyre; with amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 11383. A bill for the relief of Angenora Hines; without amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. LOWREY: Committee on War Claims. H. R. 16535. A bill authorizing the Secretary of War to execute a satisfaction of a certain mortgage given by the Twin City Forge & Foundry Co. to the United States of America; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 7174. A bill granting compensation to William T. Ring; with amendment (Rept. No. 2251). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 15197. A bill for the relief of Alma Rawson; with amendment (Rept. No. 2252). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 8519. A bill for the relief of A. N. Worstell; without amendment (Rept. No. 2253). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 10817. A bill to provide for suit against the United States by the Merrill Engineering Co.; with amendment (Rept. No. 2254). Referred to the Committee of the Whole House.

Mr. ROY G. FITZGERALD: Committee on Claims. H. R. 14583. A bill for the relief of A. Brizard (Inc.); with amendment (Rept. No. 2255). Referred to the Committee of the Whole House.

Mr. SABATH: Committee on Claims. H. R. 14738. A bill for the relief of the Marshall State Bank; with amendment (Rept. No. 2256). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 15161. A bill for the relief of Jessie L. Kinsey; without amendment (Rept. No. 2257). Referred to the Committee of the Whole House.

Mr. HUDSPETH: Committee on Claims. H. R. 15914. A bill for the relief of John T. Painter; without amendment (Rept. No. 2258). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 16219. A bill for the relief of the Federal Construction Co. (Inc.); without amendment (Rept. No. 2259). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 16342. A bill for the relief of Clyde H. Tavenner; without amendment (Rept. No. 2260). Referred to the Committee of the Whole House.

Mr. SCHAFER: Committee on Claims. S. 1766. An act for the relief of R. H. King; without amendment (Rept. No. 2261). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 5950. A bill for the relief of Alice Sarrazin; with amendment (Rept. No. 2262). 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. DENISON: A bill (H. R. 16640) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mound City, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: A bill (H. R. 16641) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Washington, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. McREYNOLDS: A bill (H. R. 16642) granting the consent of Congress to the city of Chattanooga and the county of Hamilton, Tenn., to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, opposite or near Chattanooga, Hamilton County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 16643) to amend and supplement an act entitled "An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services,' approved May 28, 1928, and for other purposes"; to the Committee on the Civil Service.

By Mr. GUYER: A bill (H. R. 16644) to create a national university at the seat of the Federal Government; to the Committee on Education.

By Mr. DRIVER: A bill (H. R. 16645) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Helena, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON (by request): A bill (H. R. 16646) to prohibit the importation and interstate transportation of films or pictoral representation of certain crimes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUDSPETH: A bill (H. R. 16647) authorizing an investigation to determine the best methods and means of utilizing the waters of the Pecos River, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. LAGUARDIA: A bill (H. R. 16648) to amend an act to authorize construction at the United States Military Academy, West Point, N. Y., approved March 10, 1928; to the Committee on Military Affairs.

Also, a bill (H. R. 16649) to provide a public terminal aviation field at Governors Island, N. Y., and for other purposes; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 16650) to amend an act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field service," approved March 4, 1923; to the Committee on the Civil Service.

By Mr. MORIN: A bill (H. R. 16651) to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. RAGON: A bill (H. R. 16652) to enlarge the Army and Navy General Hospital at Hot Springs National Park, Ark.; to the Committee on Military Affairs.

By Mr. SMITH: A bill (H. R. 16653) relating to the separation of employees from the classified civil service; to the Committee on the Civil Service.

By Mr. GIBSON: A bill (H. R. 16654) to adjust the salaries of employees in the legislative branch of the Government; to the Committee on the Civil Service.

By Mr. LEAVITT (by departmental request): A bill (H. R. 16655) to authorize the survey of certain land claimed by the Zuni Pueblo Indians, New Mexico, and the issuance of patent therefor; to the Committee on Indian Affairs.

By Mr. MERRITT: A bill (H. R. 16656) providing for retired pay for certain members of the former Life Saving Service, equivalent to retired pay granted to members of the

Coast Guard; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 16657) to improve the efficiency of the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON: A bill (H. R. 16658) to amend sections 116, 118, and 126 of the Judicial Code, as amended, to divide the eighth judicial circuit of the United States, and to create a tenth judicial circuit; to the Committee on the Judiciary.

By Mr. WILLIAMSON: A bill (H. R. 16659) to authorize an appropriation to pay one-half the cost of a bridge on the Cheyenne River in the State of South Dakota; to the Committee on Indian Affairs.

Also, a bill (H. R. 16660) to authorize an appropriation to pay one-half of the cost of a bridge on the Cheyenne River Indian Reservation in South Dakota; to the Committee on Indian Affairs.

By Mr. DOUGLAS of Arizona: A bill (H. R. 16661) to amend the act entitled "An act authorizing the paving of the Federal strip known as International Street adjacent to Nogales, Ariz.," approved May 16, 1928; to the Committee on Public Buildings and Grounds.

By Mr. GIBSON: A bill (H. R. 16662) to authorize appropriations for buildings, sites, and other facilities for the free Public Library of the District of Columbia; to the Committee on the District of Columbia.

By Mr. LAGUARDIA: A bill (H. R. 16663) to repeal the act entitled "An act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin-American Republics in military and naval matters," approved May 19, 1926; to the Committee on Military Affairs.

By Mr. NEWTON: A bill (H. R. 16664) regarding hours of labor of certain watchmen and building guards in the "custodial service."; to the Committee on the Civil Service.

By Mr. TILSON: A bill (H. R. 16665) authorizing an appropriation to enable the George Washington Bicentennial Commission to carry out and give effect to certain plans approved by said commission; to the Committee on the Library.

By Mr. BULWINKLE: Joint resolution (H. J. Res. 391) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LUCE: Joint resolution (H. J. Res. 392) to provide for the erection on Government land of a permanent building for the use of the American National Red Cross; to the Committee on the Library.

By Mr. GRAHAM: Resolution (H. Res. 300) for the consideration of H. R. 16034, to provide for the appointment of an additional judge for the District Court of the United States for the middle district of Pennsylvania, and S. 1965, to provide for an additional judge in the northern district of Mississippi; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the General Assembly of the Commonwealth of the State of Pennsylvania, extending to the Federal Government an invitation to consider the Blue Ridge Mountain section of Pennsylvania in any action taken to select a site for a summer White House; to the Committee on Public Buildings and Grounds.

Memorial from the General Assembly of the State of Indiana, indorsing and urging the passage of the cruiser bill now pending in Congress; to the Committee on Naval Affairs.

By Mr. HUDSON: Memorial adopted by the Michigan State Senate, urging immediate and helpful action by Congress for the beet-sugar industry of the United States by increasing the import duty on raw sugar to 3 cents and by restricting the duty-free importation of cane sugar from the Philippine Islands; to the Committee on Ways and Means.

Also, memorial adopted by the Michigan State Senate, indorsing the appropriation of funds to immediately add 300 beds to the United States veterans' hospital at Camp Custer, Mich.; to the Committee on World War Veterans' Legislation.

By Mr. CRAMTON: Memorial from the Michigan State Senate, urging increase in the tariff on sugar; to the Committee on Ways and Means.

Also, memorial from the Michigan State Senate, urging additional beds for the United States veterans' hospital at Camp Custer, Mich.; 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. ASWELL: A bill (H. R. 16666) for the relief of Katherine Elizabeth Kerrigan Callaghan; to the Committee on Claims.

By Mr. AUF DER HEIDE: A bill (H. R. 16667) granting a pension to Samuel Round; to the Committee on Pensions.

By Mr. BARBOUR: A bill (H. R. 16668) granting an increase of pension to Elizabeth Wirth; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 16669) granting an increase of pension to Rachel A. Rickabaugh; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 16670) to confer jurisdiction upon the Court of Claims to hear and determine the claim of the legal representatives of Henry H. Sibley, deceased; to the Committee on War Claims.

By Mr. BRAND of Ohio: A bill (H. R. 16671) granting an increase of pension to Rocelia Jones; to the Committee on Invalid Pensions.

By Mr. BUSHONG: A bill (H. R. 16672) granting a pension to Amelia Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16673) granting a pension to Mary A. Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16674) granting a pension to Emma Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16675) granting a pension to Mary A. Ueberroth; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 16676) granting a pension to Elizabeth A. Shumway; to the Committee on Pensions.

By Mr. CULKIN: A bill (H. R. 16677) granting an increase of pension to Mary J. Perry; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 16678) granting a pension to Frank W. Gabriel; to the Committee on Pensions.

By Mr. GARBER: A bill (H. R. 16679) granting an increase of pension to Nancy E. Smith; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 16680) granting an increase of pension to Julia E. Chase; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 16681) granting a pension to Katherine Farris; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 16682) for the relief of the heirs of Warren C. Vesta; to the Committee on War Claims.

By Mr. MENGES: A bill (H. R. 16683) granting an increase of pension to Mary J. Rivenour; to the Committee on Invalid Pensions.

By Mr. MOORMAN: A bill (H. R. 16684) granting a pension to Mary C. Brown; to the Committee on Pensions.

By Mr. NEWTON: A bill (H. R. 16685) for the relief of Robert J. Smith; to the Committee on Military Affairs.

By Mr. OLIVER of New York: A bill (H. R. 16686) granting an increase of pension to Margaret L. Keating; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 16687) granting a pension to Benjamin F. Kabosky; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 16688) granting an increase of pension to Emily A. Day; to the Committee on Invalid Pensions.

By Mr. STOBBS: A bill (H. R. 16689) granting an increase of pension to Irene P. Mentzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16690) granting an increase of pension to Ella A. Claypoole; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 16691) to authorize the Secretary of War to settle the claims of the owners of the French steamships *P. L. M. 4* and *P. L. M. 7* for damages sustained as the result of collisions between such vessels and the U. S. S. *Henderson* and *Lake Charlotte*, and to settle the claim of the United States against the owners of the French steamship *P. L. M. 7* for damages sustained by the U. S. S. *Pennsylvanian* in a collision with the *P. L. M. 7*; to the Committee on War Claims.

By Mr. VESTAL: A bill (H. R. 16692) granting a pension to Anna E. Antle; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 16693) granting a pension to William A. Lay; to the Committee on Pensions.

By Mr. UNDERHILL: Resolution (H. Res. 301) for the payment of additional compensation to Bingham W. Mathias, clerk 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:

8412. Petition of Chicot Trust Co., Lake Village, Ark., to pass a bill that will establish a moratorium for the payment of drainage bonds until such time as agriculture has recovered from its depressed condition; to the Committee on Irrigation and Reclamation.

8413. By Mr. BRIGGS: Letter from R. Lee Kempner, vice president United States National Bank of Galveston, Tex., indorsing House bill 16347, Seventieth Congress, second session, proposing to amend the bankruptcy law; to the Committee on the Judiciary.

8414. By Mr. CARLEY: Petition of Thomas J. Howard, protesting against amendment of Senate bill 1781, which would include coastwise vessels; to the Committee on the Merchant Marine and Fisheries.

8415. By Mr. CARSS: Petition of members of the Proctor Forum, of Proctor, Minn., favoring restriction of immigration; to the Committee on Immigration and Naturalization.

8416. By Mr. CHALMERS: Petition protesting against any change in the present tariff on hides and leathers used in the manufacture of shoes; to the Committee on Ways and Means.

8417. By Mr. CRAMTON: Resolution of the chamber of commerce of Sebewaing, Mich., urging adequate tariff on sugar and farm products; to the Committee on Ways and Means.

8418. By Mr. ESLICK: Petition of Rev. A. L. Wheatly and others, of Lawrenceburg, Tenn.; to the Committee on Immigration and Naturalization.

8419. By Mr. FRENCH: Petition of citizens of Boundary County, that a law be enacted to establish a moratorium for the payment of drainage bonds; to the Committee on Irrigation and Reclamation.

8420. Also, petition of citizens of Bonners Ferry, Boundary County, Idaho, for enactment of a law that will establish a moratorium for the payment of drainage bonds until such time as agriculture has recovered from its depressed condition, the legislation to be effective to provide for Government loans without interest to drainage districts already organized for the purpose of meeting their annual payments on drainage bonds; to the Committee on Irrigation and Reclamation.

8421. By Mr. GARBER: Petition of the National United Committee for Law Enforcement, urging certain changes in the emergency prohibition appropriation bill; to the Committee on Appropriations.

8422. Also, petition of the Ohio Broadcasters' Association, urging amendment of the Federal radio law so as to provide for the distribution of broadcasting facilities equitably in accordance with the population of the States; to the Committee on the Merchant Marine and Fisheries.

8423. Also, petition of the J. J. Johnson Camp, Spanish-American War Veterans, Okemah, Okla., urging support of legislation to increase the pensions of Spanish War veterans; to the Committee on Pensions.

8424. Also, petition of the Maternity Center Association, New York City, urging support of the Newton bill; to the Committee on Interstate and Foreign Commerce.

8425. Also, petition of the College of Bishops of the Methodist Episcopal Church South, at Memphis, Tenn., urging the necessity of the scrupulous observance of the prohibition law by the individual citizen; to the Committee on the Judiciary.

8426. Also, petition of the Perseverance Social Benefit Association and Perseverance Social Club (Inc.), of Buffalo, N. Y., and unanimously indorsed by Italian-American Civil Liberties Club, of Buffalo, N. Y., protesting against fascist propaganda in the United States; to the Committee on Immigration and Naturalization.

8427. Also, petition of the National Livestock and Meat Board, urging an increase in the tariff rates on meat and meat animals; to the Committee on Ways and Means.

8428. Also, petition of Oklahoma State Farmers' Union, comprising national legislative program of that organization; to the Committee on Agriculture.

8429. Also, petition of the Comitia Minora of the Medical Society of the County of New York, in opposition to the Newton bill; to the Committee on Interstate and Foreign Commerce.

8430. By Mr. HUDSON: Petition of the Chamber of Commerce of Sebewaing, Mich., urging protection for domestic sugar and farm products; to the Committee on Ways and Means.

8431. By Mr. KING: Petition of citizens of the community of Canton, Ill., petitioning Congress to pass a bill that will establish a moratorium for the payment of drainage bonds until such time as agriculture has recovered from its depressed condition, the legislation to be effective to provide for Government loans without interest to drainage districts already organized, for the purpose of meeting their annual payments on drainage bonds; petition submitted by S. E. Gustine, for the East Liverpool drainage and levee district, Canton, Ill.; to the Committee on Irrigation and Reclamation.

8432. By Mr. O'CONNELL: Petition of the Ohio Broadcasters' Association, favoring certain amendments to the Federal radio act; to the Committee on the Merchant Marine and Fisheries.

8433. Also, petition of Thomas J. Howard and John Tracy, of New York City, opposing amendments to Senate bill 1781, to include coastwise vessels in its application; to the Committee on the Merchant Marine and Fisheries.

8434. Also, petition of the Neptune Line (Inc.), opposing amendments to Senate bill 1781, to include coastwise vessels in its application; to the Committee on the Merchant Marine and Fisheries.

8435. Also, petition of James H. Cruikshank, of New York City, favoring the passage of the Norbeck bird conservation bill (S. 1271); to the Committee on Agriculture.

8436. Also, petition of Albert S. Bard, of New York City, favoring the passage of the Norbeck bird conservation bill (S. 1271); to the Committee on Agriculture.

8437. By Mr. WELCH of California: Memorial of Danner & Baker (Inc.), dealers in china and satsuma, 1366 Mission Street, San Francisco, Calif., protesting against proposed increased tariff on undecorated white chinaware; to the Committee on Ways and Means.

8438. Also, memorial of Pacific American Steamship Association and Shipowners Association of the Pacific Coast, protesting against placing a tariff of 2 cents per pound on oil cake, oil-cake meals, and soy beans; to the Committee on Ways and Means.

8439. Also, memorial of Coalinga Chamber of Commerce, Coalinga, Calif., protesting against present tariff on crude oil and advocating increased tariff on this commodity; to the Committee on Ways and Means.

8440. By Mr. WYANT: Petition of Latrobe Branch No. 1773, Association of Postal Clerks, and Latrobe Branch No. 772, National Association of Letter Carriers; to the Committee on the Civil Service.

SENATE

TUESDAY, *January 29, 1929*

(Legislative day of Monday, January 28, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 1731) to provide for the further development of vocational education in the several States and Territories, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 350. Joint resolution to provide for the reappointment of Frederic A. Delano and Irwin B. Laughlin as members of the Board of Regents of the Smithsonian Institution; and

H. J. Res. 386. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1929.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1364. An act for the relief of R. Wilson Selby;

S. 1633. An act for the relief of Edward A. Blair;

S. 2362. An act to authorize the payment to Robert Toquothty of royalties arising from an oil and gas well in the bed of Red River, Okla.;

S. 2989. An act for the relief of John B. Moss;

S. 3327. An act for the relief of Robert B. Murphy;

S. 3741. An act for the relief of S. L. Roberts;

S. 4454. An act for the relief of Jess T. Fears; and

S. 4927. An act for the relief of Peter Shapp.

CONSTRUCTION OF CRUISERS

Mr. NORRIS. I desire to offer for printing an amendment to the pending naval bill and ask that it may lie on the table. I intend to offer it before the conclusion of the discussion on the bill. I ask that the amendment may be read by the clerk.