Congressional Record

PROCEEDINGS AND DEBATES OF THE SEVENTIETH CONGRESS
SECOND SESSION

SENATE

TUESDAY, *February 26, 1929*

(Legislative day of Monday, February 25, 1929)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

SENATOR FROM PENNSYLVANIA

Mr. NORRIS. Mr. President, I was unable to be here yesterday, or I would have made the announcement then that I want to make this morning.

The Senator from Arkansas [Mr. ROBINSON] very kindly introduced a resolution yesterday in my behalf in regard to the Vare investigation. My own idea is that the special committee have extended every courtesy that could possibly be extended to Mr. VARE in making the investigation. They have shown him every leniency and given him every accommodation that anyone could ask. Nevertheless, Mr. VARE is a very sick man, and, of course, I, like others, sympathize with him in that condition and sincerely hope he will soon be restored to health.

I desire to say that while I think the Senate and the committee have done their full duty, nevertheless, on account of these conditions I do not intend to press to a final vote the resolution which was introduced yesterday, and I shall not ask that it be taken up during the present session of Congress. I am mindful and aware of the fact that if it goes over the votes of Senators who are opposed to my position in the matter will be greater in number at the next session and in the next Congress than at present. However, notwithstanding that fact, I do not feel under the circumstances that I want to press the resolution during the present serious illness of Mr. VARE. Neither do I see how his presence could change the situation. He has been extended every privilege I believe that could possibly be extended to him. But for the reasons stated I do not intend to ask the Senate to consider the resolution, although it is a privileged matter and I think I would have a right to force it to a vote.

I desire, however, to leave no doubt about the continuance of the authority of the committee and about the extension of the resolution which has heretofore been passed giving authority to the committee. I read the RECORD this morning, and I noticed that Senators yesterday expressed themselves to the effect that the resolutions were still in force and effect and would so continue. But the resolution granting the extension does not contain one resolution that I think is very important, and that is the resolution adopted at the beginning of this session of Congress known as Senate Resolution No. 2. It is the resolution which directed the present investigation so far as it has gone. It is the resolution which denies to Mr. VARE the right to take his seat until the final determination of the case. It is the resolution which gives to Mr. VARE the right to be present and to be heard if he desires. So I have prepared a resolution, for the present consideration of which I ask unanimous consent. It simply extends the life of the committee and extends the life of the resolution to which I have referred. I ask for its present consideration.

The VICE PRESIDENT. The clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 341), as follows:

Resolved, That Senate Resolutions 195, 227, 258, and 324 of the Sixty-ninth Congress and Senate Resolution 2 of the Seventieth Congress be, and the same are hereby, continued in full force and effect and to the same extent as though herein fully set forth until the special committee appointed under said Senate Resolution 195 is finally discharged by the Senate, and said special committee is hereby continued in office during the interim between the final adjournment of the Seventieth Congress and the convening of the first session of the Seventy-first Congress and thereafter during the life of said Congress unless sooner discharged by the Senate.

Mr. REED of Pennsylvania. Mr. President, I think the attitude of the Senator from Nebraska in this matter is entirely fair. I have no doubt but that the committee is continued by the resolutions already adopted by the Senate, but in order that there may be no doubt in anyone's mind I am perfectly willing to have the resolution adopted, and I join with the Senator from Nebraska in asking unanimous consent that it may be considered now.

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

Mr. BLEASE. Mr. President, I do not expect to object to the adoption of the resolution. But we hear a great deal of talk about the Constitution. We hear nearly every day in the Senate about somebody violating the Constitution; somebody not doing this and somebody not doing that. Last night we heard it in connection with the reapportionment bill and what a great violation of the Constitution it is not to reapportion the country. I would like to know where there could be a greater violation of our oaths than when we deprive the State of Pennsylvania or any other State of its representation in this body?

Pennsylvania is a sovereign State and has a right to have two representatives in this body. I suppose I am just about as far politically from Pennsylvania as any man in the world, but I do not think this matter should be carried over in this manner. I believe we ought to be men enough to meet the issue. If we are going to let Mr. VARE have his seat, let him have it and let the State of Pennsylvania have her two Senators as she is allowed to have them under the Constitution of the United States. If we are not going to let Mr. VARE have his seat, then it is our duty to so declare in order that the State of Pennsylvania may have the opportunity to fill the vacancy and have her representation as she is allowed and as she is required to have it under the Constitution of the United States.

If the Senator from Pennsylvania, who represents his State, is willing to have the resolution considered I have not any objection, but I want to say now that Senators should quit talking about the Constitution, whether it is in reference to a half pint of liquor or reapportionment or whatever else it may be, as long as they sit in this body and deprive the sovereign people of a sovereign State from their proper representation in this body.

Mr. REED of Pennsylvania. Mr. President, I feel as the Senator from South Carolina does about the constitutional rights of the State of Pennsylvania, but I realize that those rights are not likely to be accorded by opposing the resolution submitted by the Senator from Nebraska. Therefore I hope it will be adopted.

Mr. HEFLIN. Mr. President, buying by anybody of a seat in this body is a very serious question. The purchase of a seat here as men buy seats on the stock exchange is shocking, insulting, and dangerous to our free institutions. I think the sooner the Senate acts upon the Vare case the better it will be for the Senate and for the country. Mr. VARE has either acquired his seat corruptly or he has not. The Senate thus far has denied him the right to a seat here because of the fearful things disclosed in the testimony. During that time the State of Pennsylvania, as the Senator from South Carolina has said, has been represented by but one Senator in this body.

So, Mr. President, the Senate ought to get early action upon the Vare case. We all sympathize with Mr. VARE in his illness. I do. I served with him in the House. I like him personally. He is a very clever man. But we can not afford to let our sympathies, our likes and dislikes for a person control our action here. The Senate must be firm and steadfast in the position

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that seats in the United States Senate are not for sale, and whoever buys a seat in this body, whether he be a Democrat or Republican, he will not be allowed to have a seat in this body.

The VICE PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Nebraska.

The resolution was agreed to.

CALL OF THE ROLL

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

The PRESIDING OFFICER (Mr. FESS in the chair). The clerk will call the roll.

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

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

Mr. BRATTON. My colleague [Mr. LARRAZOLO] is detained from the Chamber on account of illness. This announcement may stand for the day.

Mr. JONES. I desire to announce that the Senator from Minnesota [Mr. SHIPSTEAD] is detained from the Senate by illness.

Mr. WATERMAN. I wish to announce that my colleague the senior Senator from Colorado [Mr. PHIPPS] is absent from the Senate because of illness. I ask that this announcement may stand for the day.

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint memorial of the Legislature of the State of Montana, which was referred to the Committee on Interstate Commerce:

Senate Joint Memorial 6, memorializing the Senate of the United States for early passage of the special resolution by Senator CAPPER directing the Senate Interstate Commerce Committee to take immediate action relative to the special export rates on grain

To the honorable Senate of the United States:

Whereas the question of export grain rates is of paramount importance to farm relief organizations; and

Whereas the American price of wheat is theoretically based upon the surplus minus the transportation charge, which results in discrimination against the American producer because of the fact that the Canadian transportation rate is lower than that of the United States; and

Whereas the Interstate Commerce Commission has heretofore failed to take any action that might remedy this condition in spite of the fact that our agricultural interests have proved that a period of depression in this basic industry exists and has become a matter of serious economic importance: Now therefore be it

Resolved by the Legislative Assembly of the State of Montana, That we do hereby petition the Senate of the United States to take early action upon the special resolution of Senator CAPPER to the end that the Senate Committee on Interstate Commerce will give speedy relief to the American grain growers by the adjustment and establishment of reasonable export grain rates which will meet the competition of the Canadian rates; be it further

Resolved, That a copy of this memorial be transmitted by the secretary of state of the State of Montana to the honorable Senate of the United States and to the Senators from the State of Montana with the request that they exert every effort within their power to bring about the relief herein expressly desired.

Approved by J. E. Erickson, governor, February 19, 1929.

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

Senate Joint Memorial 4

A memorial to the honorable Secretary of Agriculture of the United States advocating the establishment and promulgation of grades and standards of wheat which shall take into account its protein content

To the honorable Secretary of Agriculture of the United States:

Your memorialists, the Twenty-first Legislative Assembly of the State of Montana, respectfully represent that:

Whereas the protein content of wheat is an important factor in determining its quality; and

Whereas the present grades and standards of wheat, as fixed by your honorable Secretary, are established without regard to said protein content; and

Whereas your memorialists believe that this important quality-determining factor should be taken into consideration as an element entering into the establishment of grades of wheat; that if grades and standards are established giving due regard to the quality of the wheat as determined by its protein content, such action will promote a more uniform market for wheat throughout the United States; will enable the producer thereof to obtain and the purchaser to pay the true value thereof; will eliminate the competition between millers that now arises by virtue of the fact that millers in some parts of the country refuse to pay a price for wheat that is based upon its milling quality as determined by its protein content, while in other parts of the country the millers pay a premium above the regular market price for high protein wheat, and that this difference in price is reflected in the prices of flour quoted to purchasers thereof, to the disadvantage of the miller paying the said premium; that the establishment of such grades and standards would prevent territorial discrimination in the prices paid producers of wheat, and would promote the raising of a better quality of wheat, facilitate the handling thereof, and tend to establish uniform prices therefor: Therefore be it

Resolved by the Twenty-first Legislative Assembly of the State of Montana, That we do hereby memorialize the honorable Secretary of Agriculture of the United States that he establish and promulgate grades and standards of wheat, which said grades and standards shall take into account the protein content of the wheat; and be it further

Resolved, That a copy of this memorial be forwarded to the honorable Secretary of Agriculture of the United States and to each of the Senators and Representatives in Congress from Montana.

Approved by J. E. Erickson, governor, February 19, 1929.

Mr. WALSH of Montana also presented a joint memorial of the Legislature of the State of Montana praying for the early passage of a resolution, submitted by Mr. CAPPER, directing the Senate Interstate Commerce Committee to take immediate action relative to special export rates on grain, etc., which was referred to the Committee on Interstate Commerce. (See joint memorial printed in full when presented to-day by the Vice President.)

Mr. BROOKHART presented the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on Agriculture and Forestry:

House Concurrent Resolution 5 (by committee on agriculture)

Whereas the livestock producers of this country are, from justice and necessity, entitled to a market for the sale of their livestock which will insure most advantageous results to them, governed either by the natural laws of competition and supply and demand or some other system equally effective; and

Whereas during the last few years there is in existence a system of direct or private buying that has so expanded as to endanger, in the opinion of many, the open competitive livestock markets which have been built up in this country over a period of 50 years; and

Whereas it is the opinion of the vast majority of the stock growers that if the open competitive markets do not prevail the direct or private system of buying is, as it operates to-day, dangerous to the livestock interests of the country; and

Whereas approximately 40 per cent of the hogs now being shipped to the big terminal markets are bought in the country by packing agents and shipped to private stockyards and by this system are kept out of the competitive market: Therefore be it

Resolved, That our Representatives in Congress are hereby requested and strongly urged to conduct a thorough and fair investigation of the questions of marketing livestock in all of its phases, especially with respect to the setting up of some form which will be satisfactory to livestock producers if the competitive market is becoming obsolete; such investigation to be made on a basis which will inspire confidence in the conclusions and result among the producers, the consumers, and the packers, the stockyards and all other marketing agencies; that will tend to settle adequately the questions which have perplexed the country

and Congress so much in the past, concerning marketing problems of the livestock industry; be it further

Resolved, That a copy of this resolution be sent to each of our Representatives in Congress.

J. H. JOHNSON,
Speaker of the House.
ARCHER MCFARLAND,
President of the Senate.

I hereby certify that the foregoing concurrent resolution was duly adopted by the Forty-third General Assembly of the State of Iowa.

A. C. GUSTAFSON,
Chief Clerk of the House.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced the House had passed the following bills and joint resolution of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 3001. An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes;

S. 4385. An act to establish the Teton National Park in the State of South Dakota, and for other purposes;

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. 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. 5255. An act for the relief of present and former postmasters and acting postmasters, and for other purposes; 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 House had passed the following bills and joint resolution of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 1168. An act to amend an act entitled "An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives," approved March 3, 1925;

S. 4528. An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work;

S. 4778. An act authorizing the Moundsville Bridge Co. to construct a bridge across the Ohio River at or near the city of Moundsville, W. Va.;

S. 5350. An act to amend the air commerce act of 1926 with reference to the examination and rating of schools giving instruction in flying; and

S. J. Res. 196. Joint resolution authorizing and requesting the President of the United States to take steps in an effort to protect citizens of the United States in their equitable titles to land embraced in territory to be transferred from the State of Oklahoma to the State of Texas and from the State of Texas to the State of Oklahoma as per decree of the Supreme Court of the United States in the case of Oklahoma *v.* Texas (1926, 272 U. S. 21, p. 38), and to give the consent of Congress to said States to enter into a compact with each other and with the United States relating to such subject matter.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 8746. An act to regulate the height and exterior design and construction of public and private buildings in the National Capital fronting on or located within 200 feet of a public building or public park;

H. R. 11476. An act to authorize the Postmaster General to impose demurrage charges on undelivered collect-on-delivery parcels;

H. R. 11801. An act to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto;

H. R. 11802. An act establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information;

H. R. 11916. An act to provide for the care and preservation of certain land and monuments in the Washington Parish Burial Ground (Congressional Cemetery);

H. R. 13211. An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes;

H. R. 13857. An act to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended;

H. R. 14449. An act to establish a national military park to commemorate the Battle of Kings Mountain;

H. R. 14938. An act to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes;

H. R. 15218. An act to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended;

H. R. 15656. An act to provide for the erection of monuments at Dalton, Resaca, Cassville, and New Hope Church, in the State of Georgia, in commemoration of these historic points and battle fields of the Sherman-Johnston campaign in 1864, and to provide for the erection of markers at other points of historic interest along the Sherman-Johnston line of march;

H. R. 15727. An act to relinquish all right, title, and interest of the United States in certain lands in the State of Washington;

H. R. 15850. An act authorizing the Bainbridge Island Chamber of Commerce, a corporation, its successors and assigns, to construct, maintain, and operate a bridge across Agate Pass connecting Bainbridge Island with the mainland in Kitsap, County, State of Washington;

H. R. 16036. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 16167. An act to amend an act entitled "An act creating the United States Court for China and prescribing the jurisdiction thereof" (Public, No. 403, 59th Cong.), and an act entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921" (Public, No. 238, 66th Cong.);

H. R. 16170. An act authorizing Walter J. Mitchell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Patuxent River south of Burch, Calvert County, Md.;

H. R. 16209. An act to enable the Rock Creek and Potomac Parkway Commission, established by act of March 4, 1913, to make slight changes in the boundaries of said parkway by excluding therefrom and selling certain small areas, and including other limited areas, the net cost not to exceed the total sum already authorized for the entire project;

H. R. 16214. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 16314. An act to amend section 198 of the Code of Law for the District of Columbia;

H. R. 16349. An act authorizing V. Calvin Trice, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Choptank River at or near Cambridge, Md.;

H. R. 16393. An act to include henceforth, under the designation "storekeeper-gaugers," all positions which have heretofore been designated as those of storekeepers, gaugers, and storekeeper-gaugers; to make storekeeper-gaugers full-time employees, and for other purposes;

H. R. 16394. An act to authorize the United States to be made a party defendant in any suit or action which may be commenced by the State of Oregon in the United States District Court for the District of Oregon, for the determination of the title to all or any of the lands constituting the beds of Malheur and Harney Lakes in Harney County, Oreg., and lands riparian thereto, and to all or any of the waters of said lakes and their tributaries, together with the right to control the use thereof, authorizing all persons claiming to have an interest in said land, water, or the use thereof to be made parties or to intervene in said suit or action, and conferring jurisdiction on the United States courts over such cause;

H. R. 16397. An act granting authority to the Secretary of War to relocate levee of Conway district No. 1, Conway County, Ark.;

H. R. 16432. An act granting the consent of Congress to the Highway Department of the County of Etowah, State of Alabama, to construct, maintain, and operate a toll bridge across the Coosa River at or near Gilberts Ferry;

H. R. 16436. An act to provide for the repatriation of certain insane American citizens;

H. R. 16451. An act to provide for the inspection of the battle field of Star Fort, S. C.;

H. R. 16565. An act authorizing the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind.;

H. R. 16612. An act granting the consent of Congress for the construction of a dam or dams in Neches River, Tex.;

H. R. 16659. An act to authorize an appropriation to pay one-half the cost of a bridge on the Cheyenne River in the State of South Dakota;

H. R. 16660. An act to authorize an appropriation to pay one-half the cost of a bridge on the Cheyenne River Indian Reservation in South Dakota;

H. R. 16661. An act 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;

H. R. 16662. An act to authorize appropriations for buildings, sites, and other facilities for the free Public Library of the District of Columbia;

H. R. 16701. An act to provide for the payment of rental to the Board of Commissioners of the Port of New Orleans of the property known as the New Orleans Army Supply Base, New Orleans, La.;

H. R. 16719. An act 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 interest of navigation, opposite or near Chattanooga, Hamilton County, Tenn.;

H. R. 16720. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States warehouse act, approved August 11, 1916, as amended;

H. R. 16725. An act authorizing L. L. Thompsen, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Red River at or near Montgomery, La.;

H. R. 16726. An act authorizing the Secretary of the Treasury to grant a right of way for a levee through the Carville Marine Hospital Reservation, La.;

H. R. 16771. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States;

H. R. 16792. An act to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia;

H. R. 16838. An act authorizing Llewellyn Evans and B. A. Lewis, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Puget Sound, within the county of Pierce, State of Washington, at or near a point commonly known as the Narrows;

H. R. 16954. An act granting the consent of Congress to the Camp Manufacturing Co. to construct, maintain, and operate a railroad bridge across the Chowan River, in Gates and Hertford Counties, N. C.;

H. R. 16955. An act granting the consent of Congress to the Camp Manufacturing Co. to construct, maintain, and operate a railroad bridge across the Meherrin River, in Hertford County, N. C.;

H. R. 16959. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tiptonville, Tenn.;

H. R. 16982. An act authorizing J. E. Robinson, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Tombigbee River at or near Coffeeville, Ala.;

H. R. 16985. An act authorizing the Uintah, Uncompahgre, and the White River Bands of the Ute Indians in Utah and Colorado and the Southern Ute and the Ute Mountain Bands of Ute Indians in Utah, Colorado, and New Mexico to sue in the Court of Claims;

H. R. 16988. An act to legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pa.;

H. R. 17007. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Hickman, Ky.;

H. R. 17023. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near East Alburg, Vt.;

H. R. 17060. An act to readjust the commissioned personnel of the Coast Guard, and for other purposes;

H. R. 17062. An act to provide for the conveyance of Deer and Virgin Islands in Wheeler Lake, Oconto County, Wis., to the county of Oconto, State of Wisconsin, for public-park purposes;

H. R. 17075. An act to extend the times for commencing and completing the construction of a bridge across the Red River of the North at or near Fargo, N. Dak.;

H. R. 17079. An act to repeal the provision in the act of April 30, 1908, and other legislation limiting the annual per capita cost in Indian schools;

H. R. 17101. An act to accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Rocky Mountain National Park, and for other purposes;

H. R. 17127. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa;

H. R. 17140. An act to extend the times for commencing and completing the construction of a bridge across the Mahoning River at or near Warren, Trumbull County, Ohio;

H. R. 17141. An act to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Trumbull County, Ohio;

H. R. 17185. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cairo, Ill.;

H. J. Res. 382. Joint resolution to send delegates and an exhibit to the Fourth World's Poultry Congress to be held in England in 1930;

H. J. Res. 390. Joint resolution to provide for the annual contribution of the United States toward the support of the Central Bureau of the International Map of the World on the Millionth Scale;

H. J. Res. 392. Joint resolution to provide for the erection on Government land of a permanent building for the use of the American National Red Cross; and

H. J. Res. 399. Joint resolution providing more economical and improved methods for the publication and distribution of the Code of Laws of the United States and of the District of Columbia, and supplements.

THE CALENDAR

The PRESIDING OFFICER (Mr. FESS in the chair). In accordance with the unanimous-consent agreement already entered into, the calendar will be taken up for unobjected bills. The clerk will report the first number in order on the calendar.

FOX RIVER FOOT BRIDGE, ILLINOIS

The bill (H. R. 13593) granting the consent of Congress to the villages of East Dundee and West Dundee, State of Illinois, to construct, maintain, and operate a foot bridge across the Fox River between East Dundee and West Dundee, Ill., was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. The bill had been reported from the Committee on Commerce with an amendment to strike out the following after the enacting clause:

> That the consent of Congress is hereby granted to the villages of East Dundee and West Dundee, State of Illinois, to construct, maintain, and operate a foot bridge across the Fox River, at a point suitable to the interests of navigation, between said villages, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

And in lieu thereof to insert:

> That the bridge now being constructed across the Fox River at the foot of North Street, East Dundee, Ill., by the village of East Dundee, Ill., if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War, as providing suitable facilities for navigation, shall be a lawful structure and shall be subject to the conditions and limitations of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, other than those requiring the approval of plans by the Chief of Engineers and the Secretary of War before the bridge is commenced.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

The title was amended so as to read: "A bill to legalize a bridge across the Fox River at East Dundee, Ill."

CLAIMS AGAINST THE UNITED STATES

The bill (H. R. 9285) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death was announced as next in order.

Mr. KING. Mr. President, I have a number of amendments which I desire to propose to that bill. I did not think it would be reached on the calendar so soon, and I therefore ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

TRESTLE, LOG DUMP, AND BOOM IN HENDERSON INLET, WASH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15382) to legalize a trestle, log dump, and boom in Henderson Inlet near Chapman Bay, about 7 miles northeast of Olympia, Wash; which was read, as follows:

Be it enacted, etc., That the trestle, log dump, and boom built by the Weyerhaeuser Timber Co. in Henderson Inlet, State of Washington, on the westerly side near the mouth of Chapman Bay and the mouth of Woodards Bay, which is about 7 miles northeast of the city of Olympia, in the State of Washington, be, and the same are hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the erection of said trestle, log dump, and boom: *Provided*, That any changes in said trestle, log dump, and boom which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

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

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

OHIO RIVER BRIDGE NEAR CANNELTON, IND.

The bill (S. 5511) granting the consent of Congress to the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River was announced as next in order.

Mr. WATSON. Mr. President, this is a bridge bill. The House on yesterday passed a bill, H. R. 16565, which is identical with the Senate bill which has just been read by title and as it has been reported by the Committee on Commerce. I therefore ask to substitute the House bill for the Senate bill.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent to substitute the House bill named by him for the Senate bill, the title of which has been stated. Is there objection?

There being no objection, the bill (H. R. 16565) authorizing the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind., was read twice by its title, and the Senate, as in Committee of the Whole, proceeded to its consideration.

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

Mr. WATSON. I move that the Senate bill No. 5511 be indefinitely postponed.

The motion was agreed to.

FRANK C. MESSENGER

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12390) for the relief of Frank C. Messenger, which was read, as follows:

Be it enacted, etc., That the President is authorized to appoint Frank C. Messenger (retired), formerly chief gunner in the United States Navy, a lieutenant in the United States Navy, and place him upon the retired list of the Navy with the retired pay and allowance of that grade: *Provided*, That no back pay, allowance, or emoluments shall become due as a result of the passage of this act.

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

WILLIAM S. SHACKLETTE

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12666) for the relief of William S. Shacklette, which was read, as follows:

Be it enacted, etc., That hereafter William S. Shacklette, who was retired for physical disabilities, incurred in line of duty at the time of the explosion of the boilers of the U. S. S. *Bennington*, at San Diego, Calif., July 21, 1905, and was awarded the congressional medal of honor for "extraordinary heroism displayed at the time of the accident," shall receive the retired pay of chief pharmacist, equivalent to the maximum pay and allowance of that grade provided by law.

Mr. KING. Mr. President, will the Senator from Nevada [Mr. ODDIE], who reported the bill, kindly explain its object?

Mr. ODDIE. Mr. President, this bill is one of the most meritorious bills that I have seen come before the Senate. Mr. Shacklette was awarded the congressional medal of honor for great bravery displayed while he was in an injured condition, after the explosion on one of our naval ships. I can read the report to the Senator from Utah [Mr. KING], if he desires me to do so.

Mr. KING. Since asking the Senator from Nevada for an explanation of the bill I have read the report, and I have no objection to the bill.

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

SEA SCOUT DEPARTMENT OF BOY SCOUTS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15577) to authorize the Secretary of the Navy to dispose of material to the sea scout department of the Boy Scouts of America, which was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized, in his discretion, to dispose of, without charge, except for transportation and delivery, to the sea scout department of the Boy Scouts of America, such obsolete material as may not be needed for the Navy, and such other material as may be spared, at prices representing its fair value to the Navy.

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

NATIONAL MILITARY PARK AT BATTLE FIELD OF MONOCACY, MD.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11722) to establish a national military park at the battle field of Monocacy, Md., which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert:

That for the purpose of commemorating the Battle of Monocacy, Md., the Secretary of War is authorized and directed to (1) acquire not to exceed 1 acre of land, free of cost to the United States, at the above-named battle field; (2) fence the parcel of land so acquired; (3) build an approach to such parcel of land; and (4) erect a suitable marker on such parcel of land.

SEC. 2. There is authorized to be appropriated the sum of $5,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act.

SEC. 3. The parcel of land acquired under section 1 of this act shall be under the jurisdiction and control of the Secretary of War, and there is authorized to be appropriated for the maintenance of such parcel of land, fence, approach, and marker a sum not to exceed $250 per annum.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

The title was amended so as to read: "A bill to provide for the commemoration of the Battle of Monocacy, Md."

MARGARET I. VARNUM

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 264) for the relief of Margaret I. Varnum, which was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives, George Smith, late private of Company K, Twenty-first Regiment Massachusetts Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 4th day of March, 1862: *Provided*, That no pay, bounty, or other emolument shall accrue prior to the passage of this act.

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

JAMES EVANS

The bill (S. 4274) for the relief of James Evans was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Texas [Mr. SHEPPARD], who reported the bill, explain it?

Mr. SHEPPARD. Mr. President, James Evans served a year or more in the Union Army; he was captured in battle and paroled, but was prevented by an illness which lasted during the remainder of the war from rejoining the Union Army.

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

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, James Evans, formerly a private in Company F, Fourteenth Indiana Infantry, shall be held and considered to have been honorably discharged in December, 1862, from the military service of the United

States in his final service as a private in Company F, Fourteenth Regiment Indiana Volunteer Infantry: *Provided*, That no pension, bounty, pay, or other emolument shall accrue prior to the passage of this act.

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

RETIREMENT OF EMERGENCY OFFICERS

The bill (S. 4708) to amend the act of May 24, 1928, entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," was announced as next in order.

Mr. KING. Let the bill go over, Mr. President.

Mr. BINGHAM. Mr. President, will the Senator from Utah withhold his objection for a moment?

Mr. KING. Yes.

Mr. BINGHAM. Mr. President, the Senator from Utah, who has asked that the bill go over, will remember that I was one of those who fought from the first days of my service on this floor against the bill which was known as the emergency officers' retirement bill because I believed that it was an unwise bill. In that, however, both Houses of Congress, by an overwhelming majority, decided that I was wrong, and that the President also was wrong in vetoing the bill. The bill became a law. In its administration, however, by an opinion of the Comptroller General and by the method in which the bill had been administered a very large number of those who Congress believed would be benefited by the bill are not benefited by it.

It will be remembered that those of us who objected to the bill put into the RECORD the names of a large number of officers to show the Congress exactly the type of disabled officer who was to be benefited by the bill, and it was our understanding in opposing the bill that those officers would be retired. Now, due to various decisions that have been made, those officers have not been retired. All that this bill proposes to do, I will say to the Senator from Utah, is to provide that the officers who we thought would be provided for shall be retired, but that they may be given one year more than the original bill provided to have their cases taken care of and to be retired.

Mr. ROBINSON of Arkansas. May I ask the Senator from Connecticut whether the difficulty of administration grows out of the practice now prevailing of attempting to determine at the time of application for the benefits of the act the percentage of disability of the officer rather than the percentage of disability existing at the time the act was passed?

Mr. BINGHAM. That is exactly the trouble.

Mr. ROBINSON of Arkansas. So that an officer now who is found to possess a disability of 29 per cent, for the purposes of illustration, although at the time of the passage of the act he could theoretically at least, have had a disability of 40 per cent would be deprived of any benefit under the act.

Mr. BINGHAM. The Senator is exactly correct. My sense of justice has led me to introduce this bill, because when the Veterans' Bureau rated a man as permanently disabled at 30 per cent or more, I do not think there is a Senator on this floor who supposed that the act did not mean what it said in its reference to permanent disability.

Mr. ROBINSON of Arkansas. Particularly when the rating had been made without regard even to the prospect of legislation of this character.

Mr. BINGHAM. Exactly.

Mr. ROBINSON of Arkansas. If some such rule as that provided in this bill shall not be adopted every application presented for the benefits of the act will find the question reopened as to the extent of disability existing at the time of the consideration of the application.

Mr. BINGHAM. And the Comptroller General has ruled that it is the duty of the Veterans' Bureau to decide those cases by the present rules of the Veterans' Bureau, rather than by the rules which prevailed when the men originally received their ratings.

Mr. KING. Mr. President, I have some information which I will be glad to communicate to the Senator from Connecticut. I ask that the bill go over for the present. I will be very glad to confer with him about it.

Mr. BINGHAM. The Senator knows that there are very few hours left of the present session in which to pass this bill and get it over to the House.

The PRESIDING OFFICER. The bill will be passed over.

LANDS FOR EASTERN NEW MEXICO NORMAL SCHOOL

The Senate, as in Committee of the Whole, considered the bill (S. 3940) granting certain public lands to the State of New Mexico for the use and benefit of the Eastern New Mexico Normal School, and for other purposes, which was read, as follows:

Be it enacted, etc., That there is hereby granted and confirmed to the State of New Mexico 76,667 acres of surveyed, nonmineral, unappropriated, and unreserved public lands of the United States in the State of New Mexico, for the use and benefit of the Eastern New Mexico Normal School, at Portales, Roosevelt County, N. Mex., to be used solely for normal-school purposes. Such lands shall be in addition to the lands granted to the State of New Mexico for normal-school purposes under the provisions of the act entitled "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 20, 1910, as amended, and the grant of such lands shall be subject to the same terms and conditions as are imposed upon the grants made by such act of June 20, 1910, as amended.

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

ANDREW JACKSON SEWARD, JR., DECEASED

The Senate, as in Committee of the Whole, considered the bill (H. R. 2486) for the relief of Andrew Jackson Seward, jr., deceased, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, or marines, Andrew Jackson Seward, jr., deceased, who was seaman on the United States ship *Nevada*, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as seaman on or about the 19th day of June, 1919: *Provided*, That no back pay or allowances shall accrue prior to the passage of this act.

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

TIMOTHY J. MULCAHY

The Senate, as in Committee of the Whole, considered the bill (H. R. 4770) for the relief of Lieut. Timothy J. Mulcahy, Supply Corps, United States Navy, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieut. Timothy J. Mulcahy, Supply Corps, United States Navy, the sum of $315.65, to reimburse said officer for certain unauthorized overpayments to various enlisted men while he was acting in the capacity of disbursing officer at the United States receiving ship, navy yard, Philadelphia, Pa., which amount said officer refunded to the Government to remove the disallowance in his accounts because of such overpayments.

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

LANDS IN THE STATE OF WASHINGTON

The bill (S. 5046) to relinquish all right, title, and interest of the United States in certain lands in the State of Washington was announced as next in order.

Mr. DILL. Mr. President, the House yesterday passed an identical bill, amended as the Senate bill is proposed to be amended by the committee. I therefore ask that the House bill may be substituted for the Senate bill.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that the House bill has not as yet been messaged over to the Senate.

Mr. DILL. Then I ask that the Senate bill may be passed over without prejudice until I can have the House bill sent over.

The PRESIDING OFFICER. The bill will be passed over temporarily.

Mr. DILL subsequently said: Mr. President, earlier in the day Senate bill 5046 on the calendar was passed over until a House bill on the same subject could be messaged over, that I might substitute it for the Senate bill. I ask unanimous consent now to substitute the House bill, which is identical with the Senate bill as amended on the calendar, and ask for immediate consideration of the House bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15727) to relinquish all right, title, and interest of the United States in certain lands in the State of Washington.

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

The VICE PRESIDENT. Without objection, Senate bill 5046 will be indefinitely postponed.

LIEUT. L. A. WILLIAMS

The bill (H. R. 10238) for the relief of Lieut. L. A. Williams, Supply Corps, United States Navy, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized and directed to credit the accounts of Lieut. L. A. Williams, Supply Corps, United States Navy, in the amount of $63.12, which amount represents funds deposited by Lieut. L. A. Williams with the Treasurer of the United States by order of the Secretary of the Navy covering payments made by Lieut. L. A. Williams to certain men of the United States Navy, these payments later disallowed by the Comptroller General of the United States.

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

J. H. SANBORN

The bill (H. R. 5286) for the relief of J. H. Sanborn was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. H. Sanborn, of Ontario, Calif., the sum of $1,077.55, in full settlement of all claims against the Government and as compensation for personal injury to him resulting from a collision on the 5th day of June, 1927, caused by the reckless, careless, and unlawful operation of a Government automobile by Frank L. Montague, jr., while in the service of the Department of Commerce.

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

ETTA C. SANBORN

The bill (H. R. 5287) for the relief of Etta C. Sanborn, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury and not otherwise appropriated, to Etta C. Sanborn, of Ontario, Calif., the sum of $3,434.08, in full settlement of all claims against the Government and as compensation for personal injury to her resulting from a collision on the 5th day of June, 1927, caused by the reckless, careless, and unlawful operation of a Government automobile by Frank L. Montague, jr., while in the service of the Department of Commerce.

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

WILLIAM F. KALLWEIT

The bill (H. R. 5288) for the relief of William F. Kallweit was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William F. Kallweit, of Ontario, Calif., the sum of $299.33, in full settlement of all claims against the Government and as compensation for personal injuries to him, resulting from a collision on the 5th day of June, 1927, caused by the reckless, careless, and unlawful operation of a Government automobile by Frank L. Montague, jr., while in the service of the Department of Commerce.

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

LORETTA KALLWEIT

The bill (H. R. 5289) for the relief of Loretta Kallweit was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury and not otherwise appropriated, to Loretta Kallweit, of Ontario, Calif., the sum of $193.22, in full settlement of all claims against the Government and as compensation for personal injuries to her resulting from a collision on the 5th day of June, 1927, caused by the reckless, careless, and unlawful operation of a Government automobile by Frank L. Montague, jr., while in the service of the Department of Commerce.

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

DAVID A. WRIGHT

The bill (H. R. 12638) for the relief of David A. Wright was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $13,187.50 to David A. Wright, of Chicago, Ill., for money paid by him to the United States as a part of the purchase price of certain machinery which was agreed to be purchased by him from the United States in 1920, but which was not delivered in accordance with the terms of sale, and in order to reimburse and compensate the said David A. Wright for the cost of transportation, unloading, handling, and storage by him in his warehouse in Chicago, Ill., of machinery belonging to the United States.

Mr. KING. Mr. President, I should like to have an explanation of the bill from the Senator from Florida [Mr. TRAMMELL], who reported it.

Mr. TRAMMELL. Mr. President, briefly the facts in this case are that Mr. Wright had a contract with the Ordnance Department for the purchase of tools and had received delivery of about 75 of the particular kind of implements which he was buying. I think they are lathes. After about 75 of 160 odd had been delivered they ceased shipping him the lathes, according to his understanding and agreement, for some little time, due to the fact that they were filling an order of the Belgian Government. This delay extended over a period of some months, as I recall the facts, and during that time he was unable to carry on the sale or the delivery of machines which he had contracted to deliver on account of the Government's failure to deliver to him. After filling the order with the Belgian Government, the Ordnance Department shipped him 40 carloads, without any understanding on his part that they should dump 40 carloads of these materials on him. He received them at that time, but his business had been completely disorganized on account of the long delay. He paid the freight on them, and certain charges for storage, and so forth. He refused to accept the delivery of the 40 cars, and after some negotiations the Government finally took back the materials.

The items involved here are for expenses of freight and storage, and so forth, while he was holding that 40 carloads of material. He claimed a much larger sum. He claimed, I think, thirty-seven thousand and odd dollars; but the House committee trimmed that down to the amount specified in the bill, which, I think, is $13,000.

The committee was impressed that the bill was thoroughly meritorious and recommended its passage.

Those are the facts, in brief.

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

EVA BRODERICK

The bill (S. 5030) for the relief of Eva Broderick was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, on page 1, line 5, after the words "sum of," to strike out "$130" and insert "$91"; in line 6, after the word "Broderick," to strike out "or as much thereof as is necessary"; in line 7, after the word "automobile," to insert "at the rate of 7 cents a mile for 1,300 miles"; and in line 9, before the words "the doctor," to strike out "furnished to" and insert "by," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $91 to Eva Broderick, in full and final settlement for the use of her automobile, at the rate of 7 cents a mile for 1,300 miles, by the doctor at Mission Agency in California during the fiscal year 1928 for use in making calls upon sick Indians, such services having been furnished with the knowledge and approval of the superintendent in charge of the said agency.

Mr. KING. Mr. President, I should like to ask the Senator from Mississippi, who reported the bill, if at this Indian reservation there was not a physician, and if they did not have automobiles? There are usually many upon these reservations.

Mr. STEPHENS. Mr. President, my recollection of the bill—I have not seen the report for some time—is that the physician had no car of his own. They were hiring a public car and paying, I think, 20 cents per mile for it. Later on the car belonging to the wife of some man on the reservation was hired for 10 cents per mile; and this small amount was unpaid because of the fact that she was the wife of an employee and under the law could not be paid. The committee felt, however, that there was a saving of 50 per cent; that the sum was a small one; and that it was very proper for the lady to be reimbursed for the use of her car.

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

The amendments were agreed to.

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

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

RUTH B. LINCOLN

The bill (H. R. 13632) for the relief of Ruth B. Lincoln was considered as in Committee of the Whole.

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

SAN FRANCISCO, NAPA & CALISTOGA RAILWAY

The bill (H. R. 2474) for the relief of the San Francisco, Napa & Calistoga Railway was considered as in Committee of the Whole.

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

AMENDMENT OF MARITIME EMPLOYEES' COMPENSATION ACT

The bill (S. 5503) to amend section 22 of the act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes," approved March 4, 1927, as amended, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 22 of the act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes," approved March 4, 1927, as amended, is hereby amended to read as follows:

"SEC. 22. Upon his own initiative, or upon application of any party in interest, on the ground of a change in conditions or proof of erroneous wage rate, the deputy commissioner may at any time review any decision or compensation order in accordance with the procedure prescribed in respect to claims in section 19, and in accordance with such section issue a new compensation order which may terminate, continue, increase, or decrease such compensation. Such new order shall not affect any compensation paid under authority of the prior order except that an order increasing the compensation rate may be made effective from the date of injury, and except that if any part of the compensation due or to become due is unpaid, an order decreasing the compensation rate may be made effective from the date of injury, and any payments made prior thereto in excess of such decreased rate shall be deducted from any unpaid compensation in such manner and by such method as may be determined by the deputy commissioner."

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

REIMBURSEMENT OF STATE OF NEVADA

The bill (S. 5717) for the relief of the State of Nevada was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the net balance due the State of Nevada of $595,076.53, as certified by the Comptroller General of the United States January 26, 1929, and printed in Senate Document No. 210, Seventieth Congress, second session.

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

Mr. ODDIE. I ask that the report of the Committee on the Judiciary upon the bill may be printed in the RECORD.

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

[S. Rept. No. 1826, 70th Cong., 2d sess.]

REIMBURSEMENT OF THE STATE OF NEVADA

Mr. WATERMAN, from the Committee on the Judiciary, submitted the following report to accompany amendment to second deficiency appropriation bill, H. R. ———:

The Committee on the Judiciary, to whom was referred the amendment proposed to the second deficiency appropriation bill (H. R. ———) providing for the reimbursement of the State of Nevada in accordance with the statement of account rendered by the Comptroller General of the United States dated January 26, 1929, and printed in Senate Document No. 210, Seventieth Congress, second session, after due consideration beg to report said amendment favorably, with the recommendation that it be referred to the Committee on Appropriations for insertion in the second deficiency appropriation bill.

Said amendment is as follows:

"To reimburse the State of Nevada the net balance due as certified by the Comptroller General of the United States January 26, 1929, and printed in Senate Document No. 210, Seventieth Congress, second session, the sum of $595,076.53."

In support of said amendment there is hereto attached and made a part hereof Senate Report No. 1706, submitted by your committee on S. 5717.

Senate Report No. 1706, Seventieth Congress, second session, follows:

[S. Rept. No. 1706, 70th Cong., 2d sess.]

The Committee on the Judiciary, to whom was referred the bill (S. 5717) providing for the relief of the State of Nevada, after consideration reports the same favorably to the Senate and recommends that the bill do pass without amendment.

The subject matter of the bill was thoroughly examined into by your committee under S. J. Res. 41, and quite extensive hearings were held by a subcommittee and by the full committee, resulting in Senate Report No. 433, Seventieth Congress, first session. Reference is here made to said printed hearings and said report. S. J. Res. 41 passed the Senate March 2, 1928.

Under a resolution of the Senate (S. Res. 295) the Comptroller General, under date of January 26, 1929, rendered the account between the State of Nevada and the United States for moneys advanced and actually expended in aid of the Government during the War between the States. The report of the Comptroller General (S. Doc. No. 210, 70th Cong., 2d sess.) is as follows:

WASHINGTON, D. C., *January 26, 1929.*

The PRESIDENT OF THE SENATE.

SIR: There has been received Senate Resolution 295, Seventieth Congress, second session, authorizing and directing me to—

"* * * reopen and restate the account of the State of Nevada for moneys advanced and expended in aid of the Government of the United States during the War between the States, and on such restatement (1) to accept as a basis of calculation the balance due the State of Nevada on January 1, 1900, stated in the account set forth in the report of the Secretary of the Treasury printed in House Document No. 322, Fifty-sixth Congress, first session; (2) to add to such balance the interest certified by the comptroller of the State of Nevada as actually paid by said State on the sums so advanced and expended from January 1, 1900, to December 31, 1928; (3) to deduct from the total sum so stated the interest at 5 per cent per annum on $8,559.61 repaid by the United States on April 10, 1888, from the date of payment to December 31, 1928; (4) to deduct $12,283.04 repaid by the United States on July 1, 1910, together with interest thereon at the rate of 5 per cent per annum from July 1, 1910, to December 31, 1928, and certify to the Senate the balance found due the State of Nevada."

Complying therewith I have the honor to certify that the account of the State of Nevada for moneys advanced and expended in aid of the Government of the United States during the War between the States has been reopened and restated as directed in said resolution, and on said reopening and restatement the balance found due to the State of Nevada is $595,076.53, as follows:

1. Basis of calculation, balance due to the State of Nevada on Jan. 1, 1900, as stated in the account set forth in the report of the Secretary of the Treasury printed in House Document No. 322, Fifty-sixth Congress, first session	$462,441.97
2. Plus interest certified by the comptroller of the State of Nevada as actually paid by the State of Nevada on the sums so advanced and expended from Jan. 1, 1900, to Dec. 31, 1928, at 5 per cent per annum, on principal sum of $119,800.12 advanced and expended by the State of Nevada in aid of the Government of the United States during the War between the States	173,710.17
	636,152.14
3. Less interest at 5 per cent per annum on $8,559.61 repaid by the United States on Apr. 10, 1888, from date of payment to Dec. 31, 1928	17,429.92
	618,722.22
4. Less $12,283.04 repaid by the United States on July 1, 1910, with interest thereon at 5 per cent per annum from July 1, 1910, to Dec. 31, 1928, $11,362.65, or a total deduction of	23,645.69
Net balance	595,076.53

Respectfully,

J. R. MCCARL,
Comptroller General of the United States.

For the information of the Senate a general statement of facts on which reimbursement is founded follows:

GEOGRAPHICAL FACTORS

In 1864, when said expenditures on behalf of the United States were made, the following state of facts obtained:

(1) West of Kansas the only States were California and Oregon on the far Pacific coast. The vast region between was partitioned into Territories, sparsely settled, and occupied by powerful Indian tribes, restive and resentful of the westward migration of the whites, and incited to hostilities by the general war conditions prevailing. No railroads west of the Missouri River; emigrant travel and transportation of passengers, mail, express, freight, and military supplies were by stagecoach, wagon trains, or saddleback. The westward route followed was the Overland Trail, made by the tread of emigrant trains (1844 to 1864) from St. Joseph, Mo., to Sacramento, Calif., a distance of over 1,500 miles.

(2) This fourth and crucial year of the Civil War, ocean communication with the Pacific coast via the Isthmus or Cape Horn was all but abandoned from war hazard.

THE OVERLAND TRAIL

(3) The Overland Trail thus became the most important line of communication between the East and West. Along it, moreover, stretched the Western Union telegraph, whilst corps of surveyors and engineers of the Union Pacific and Central Pacific Railroad Cos., chartered by acts of Congress in 1862, were exploring its course for favorable mountain passes and connecting routes across the plains and deserts to link West with East by railroad, which the Secretary of War had declared was of the utmost military importance (An. Rept. War Dept. 1864–65, p. 149) and the Government (July 2, 1864) was to aid with loans and land grants.

TERRITORY OF NEVADA

The Territory of Nevada at this time had become the goal of fortune seekers West and East. In five years the magic of discovered gold and silver had populated its wastes with some 15,000 adventurous people. Virginia City sprang into existence as the most important town on the Overland Trail.

James W. Nye, governor, was a commanding figure. Formerly on the bench of New York and first president of the metropolitan board of police, subsequently United States Senator, a close friend of Lincoln and Seward, he ranked among the foremost orators of his time. Other residents of the Territory were destined to play large parts in the affairs of the Nation. Samuel L. Clemens (Mark Twain), deputy secretary, was gathering the materials for Roughing It, the immortal picture of a phase of American history and life without counterpart.

Assessed valuation of property was under twenty millions. The Territory was too poor to own or contemplate a capitol building, its officials commonly having offices in their residences. The Territorial assembly, a score or more of whose members were from New York and the New England States, sat on rude benches in a building donated by a public-spirited citizen, the floors carpeted with sawdust and the two houses separated by a canvas partition. Despite the wealth of the mines and the extreme carefulness with which public funds were appropriated, the treasury uniformly ran dry before the receipt of the December taxes. On November 1, 1864, when the State government succeeded the Territorial, there was but $1,101.98 cash balance in the treasury, with $39,228.54 outstanding warrants issued against it.

FIRST REQUISITION FOR TROOPS

Regular troops stationed along the Pacific coast had been withdrawn to the Atlantic seaboard the first years of the war. California volunteers, by 1863, were protecting not only that State but the Southwest Territories to the boundary of Texas; those of Oregon were similarly extended to guard the Northwest.

Interruption of ocean communication with the Pacific coast by 1863 had made the protection of the Overland Trail a matter of grave military and national concern.

The first call on Nevada Territory for volunteers, dated April 2, 1863, was addressed the governor by General Wright, commander of the Department of the Pacific:

"SIR: I have been authorized by the War Department to raise volunteer companies in Nevada Territory for the purpose of moving east over the overland mail route in the direction of Great Salt Lake City. If it is possible to raise three or four companies in the Territory for this service, I have to request your excellency may be pleased to have them organized. I should be glad to get two companies of Cavalry and two of Infantry, the mounted troops to furnish their own horses and equipments. Arms, ammunition, etc., will be furnished by the United States. Should your excellency consider it improbable that this volunteer force can be raised, even one company will be accepted. I will send a plan of organization and an officer with the necessary instructions for mustering them into the service."

While correspondence was in progress the following telegram was transmitted:

HEADQUARTERS OF THE ARMY,
Washington, D. C., April 15, 1863.

Brig. Gen. G. WRIGHT,
San Francisco, Calif.:

The Secretary of War authorizes you to raise additional regiments in California and Nevada to reenforce General Conner and protect the overland route. Can not companies be raised in Nevada and pushed forward immediately? General Conner may be able to raise some companies in Utah or out of emigrant trains.

H. W. HALLECK, *General in Chief.*

General Wright the following day, April 16, 1863, addressed a second and more urgent appeal to the governor, in all material parts as follows:

"The Indian disturbances along the line of the overland mail route east of Carson City threaten the entire suspension of our mail facilities, as well as preventing any portion of the vast immigration approaching from the east reaching Nevada. * * * My force immediately available for operation on that line is small. * * * Some Infantry companies will be thrown forward from this side of the mountains as soon as transportation can be prepared and the roads are in order. In the meantime it is of such importance to keep the mail and emigrant route east of you open that I would earnestly recommend that one or two companies of Cavalry be promptly organized and prepared for muster into the service of the United States. It is impossible for us at this moment to purchase horses and equipments. Each man would have to furnish his own. I can furnish arms, ammunition, forage, clothing, provisions, etc.; in fact, everything except horses and equipments. * * * This is the first appeal that has been made to Nevada Territory * * *." (Hearings on S. J. Res. 41, 70th Cong.)

FOUR COMPANIES RECRUITED

The response was a proclamation of the governor of the Territory eight days later calling for volunteers to serve three years or during the war.

Four companies of cavalry were recruited and mustered into the service, of which two were stationed at Fort Churchill, Nev., the others sent to Fort Douglas, Utah.

SECOND CALL FOR TROOPS

The latter part of November following, General Wright requisitioned the Territory "under authority conferred upon me by the War Department" (see letter Brigadier General Wright to Adjutant General U. S. Army, December 22, 1863) for "one regiment of infantry and two more companies of cavalry."

December 4, 1863, a second proclamation of the governor was issued calling for volunteers.

TREASURY DEPARTMENT ORDER OF FEBRUARY 9, 1863

The four companies of cavalry enlisted under the first call, despite delay in securing horses and equipment at the soldiers' expense, had been recruited and mustered in the service in a few months.

Under the second call, however, so little progress was made in securing volunteers that by February it was clear only a small part of the quota could be enlisted without remedial action by the Territorial assembly.

The situation arose from an order of the Treasury Department, dated February 9, 1863, instructing the Assistant Treasurer of the United States at San Francisco that—

"checks of disbursing officers must be paid in United States notes." (See letter of Deputy Paymaster Gen. George H. Riggold, February 13, 1863.)

Up to this time troops and marines of the Department of the Pacific had been paid in coin.

It is pertinent to remark that the subtreasury at San Francisco held a vast amount of gold and silver, product largely of the mines of California and Nevada. Also, that in the same month as the departmental order the price of gold in Treasury notes on the New York Stock Exchange, February 28, 1863) touched 170.

EFFECT OF THE ORDER ON SOLDIERS' PAY

The effect of this order on the troops of the Department of the Pacific, as well as on further recruiting, may be gathered from a recital of certain conditions, as follows:

First. That during the entire period of the Civil War and subsequently, the only money in circulation or common usage on the Pacific coast was gold and silver coin; all transactions, obligations, prices, salaries, wage, and services being stated therein.

Second. The greater part of all manufactured commodities were imported; with the interruption of ocean transportation as stocks on hand diminished, prices rose accordingly.

Third. In the Territory of Nevada such condition was accentuated by the fact that nearly everything used or consumed, apart from lumber, fuel, beef, and hay, had to be freighted over the Sierra Nevada Mountains, blocked from December to May by snow, in mule trains, the distance from Sacramento ranging from 200 to 450 miles. Freight costs per ton to Virginia City approximated $80, and correspondingly higher to other mining towns. From Leavenworth, Kans., freight approximated $800 per ton. A bushel of corn shipped from Leavenworth, Kans., to Salt Lake City cost $17. (Rept. Secretary of War, 1865–66, pt. 1, pp. 23–112. Also report of General Halleck to Secretary of War, War Dept. Rept., 1866, pp. 31–32.) The range of prices of necessities in Nevada, 1861–1865, gold valuation, was from 50 to 100 per cent higher than the corresponding currency prices east of the Missouri River.

Finally, Treasury notes in regions remote from San Francisco could not be used as money except at an extortionate discount below the current New York quotations.

March 16, 1863, General Wright, commander of the Department of the Pacific, transmitted to The Adjutant General of the United States Army a letter of Major Drew, commandant at Fort Baker, Oreg., containing an explicit statement of the effects of and a formal protest against paying his men in greenbacks, to which General Wright added his own indorsement, saying:

"The difficulties and embarrassments enumerated in the major's communication are common to all the troops in this department, and I must seriously ask the consideration of the general in chief and of the War Department to this subject. * * *"

SITUATION IN NEVADA

The four companies of Nevada Cavalry had been raised before the Treasury order of February 9, 1863, had become generally known or its effects understood. Troops in the outlying districts were not paid with any regularity, frequently being months in arrears, and this appears to have been the case in Nevada.

When the governor's second proclamation was issued, however, the situation was well known. Pure patriotism alone could induce men to accept $13 per month Army pay, when choice required the relinquishment of fortune seeking or employment at from $4 to $10 daily wage in gold. When the soldier's pay was cut by departmental order to the equivalent of about $6 per month, payable in Treasury notes having no currency on the Pacific coast, justice and fair play required some character of relief be granted to help the volunteeers to meet the high cost of living.

THE TERRITORIAL VOLUNTEERS ACT

February 20, 1864, an act of the Territorial Assembly of Nevada was approved, entitled:

"An act to encourage enlistments and give bounties and extra pay to our volunteer soldiers." (Nev. Ter. Laws, p. 81.)

The Territorial volunteers act provided, in all material particulars, as follows:

"Bounties, so called, were authorized to be paid to captains or commanding officers of companies of $10 in gold per capita per recruit enlisted and mustered into the service of the United States in lieu.

"Extra pay, so called, was authorized to be paid volunteer troops, officers, and soldiers, of $5 per month in gold during the period of service; first settlement at the expiration of one year, unless sooner terminated by death or honorable discharge; final settlement at the termination of enlistment or muster out.

"To provide the moneys therefor a soldiers' fund of $100,000 was created; bonds in that amount to bear 10 per cent interest authorized to be issued and sold at an annual tax of 25 cents on each hundred dollars taxable property levied to meet the debt."

THIRD CALL FOR TROOPS

The effect of the Territorial volunteers act is shown in the muster rolls. The exigencies of the Government in protecting the Overland Trail had become so acute that in October, 1864, Gen. Irwin McDowell, then commander of the Department of the Pacific, removed his headquarters to Virginia City, Nevada Territory, and on the 13th requisitioned the Territory "under authority of the Secretary of War," to complete the organization of a regiment of Cavalry and one of Infantry. About the end of the year Nevada had recruited a total of six companies of Cavalry and three of Infantry, aggregating 1,180 men. These troops were actively engaged, 1864 to 1866, in Nevada, Utah, Wyoming, Colorado, Nebraska, and Kansas. (Hearings on S. J. Res. 41, 70th Cong.)

NEVADA ADMITTED AS A STATE

Eight months after the passage of the Territorial volunteers act (October 31, 1864) Nevada was admitted into the Union. The State constitution provided that all laws of the Territory not repugnant to its provisions were continued in full effect until modified or repealed by the State legislature. The Territorial debt and obligations were assumed and authorized to be carried separately from and independent of the limitations governing the State debt proper.

The soldiers' fund bonds had proved unsalable, and the burden of meeting the liabilities accrued and accruing under the Territorial volunteers act devolved upon the State.

The State legislature authorized the issue and sale of $150,000 bonds bearing 2 per cent per month interest. It was out of the proceeds of this issue that the State met the first accrued claims of the Territorial volunteers. Twenty-four per cent interest to raise funds in 1865, 18 per cent in 1866, and 15 per cent 1867 to 1872 (not to mention 9½ per cent 1872 to 1879) were the prices Nevada paid for statehood.

STATEHOOD ASSUMED FROM LOYALTY

It is pertinent at this point to mention that Nevada assumed the burden of statehood at the invitation of the United States, persuaded from loyalty to do what its sound judgment had rejected. For in the year 1864, on the 19th day of January, the people of the Territory overwhelmingly defeated a proposed State constitution and application for admission as a State. On March 21 following, the Congress of the United States, notwithstanding such rejection, passed an enabling act inviting Nevada into the Union. An additional State was required to insure the adoption of the thirteenth amendment, and the choice of President Lincoln was Nevada. (See Recollections of the Civil War, by Charles A. Dana, Assistant Secretary of War, Lincoln's administration, p. 174.) (Senate Hearings on S. J. Res. 41, 70th Cong.)

STATE VOLUNTEERS ACT

The Territorial volunteers' act had made provision partially to equalize the soldier's pay on account of the abnormal prices prevailing, but had not provided for any additional pay to officers in excess of that allowed volunteers in general. Public sentiment in Nevada in favor of doing justice became strongly urgent that some measure of relief should be given the Nevada volunteer officers.

The State legislature then being in session and considering the matter of such relief, on March 8, 1865, the commander of the department of the Pacific wrote the Governor of Nevada concerning the progress made in recruiting and recommending additional pay to volunteers.

It was the receipt of this letter which caused the legislature to pass the State volunteers act of March 11, 1865, continuing the provisions of the Territorial volunteers act of February 20, 1864, notwithstanding the veto of the governor (Blaisdell).

NEVADA'S EXPENDITURES TO PROTECT THE OVERLAND TRAIL

The liabilities assumed by the State of Nevada as successor to the Territory of Nevada and honorably fulfilled cost the State, as shown by the official reports, the principal sum of $119,800.12, of which $109,048.53 were for so-called bounties and extra pay, no part of which has ever been reimbursed.

Of the remainder of said amount of $119,800.12, $8,559.61 was reimbursed the State as of April 10, 1888, leaving unreimbursed the further amount of $2,191.98. The items of this latter portion of the principal sum comprise salary and expenses of the adjutant general of Nevada and of his office from the date of the official close of the war to the final muster out in 1866 of the last contingent of Nevada volunteers. Inasmuch as the adjutant general of Nevada was the officer designated under the Territorial volunteers act and subsequent State volunteers act to audit the claims of officers and soldiers for bounty and extra pay, such unreimbursed expenditures accrued in consequence of said Territorial volunteers act and are properly inclusive within its force and legal authorization.

It is established by the reports of the successive State comptrollers of Nevada and the statutes of the State that from February 10, 1865, to the present time, Nevada has carried said principal sum as a Territorial debt and paid interest thereon, and that of the interest so paid but $12,283.04 (settlement of July 1, 1910) has been reimbursed the State, leaving the net balance due the State of Nevada, as reported by the Comptroller General on January 26, 1929 (S. Doc. 210, 70th Cong.), of the sum of $595,076.53.

REIMBURSEMENT BEFORE PREVIOUS CONGRESSES

Misconception of fact and law at the foundation of the Nevada Civil War expenditures for the benefit of the Government has hitherto deferred settlement.

The assumption has been in error that reimbursement accrued only as an obligation of the Government under the act of Congress of July 27, 1861.

It accrued instead under an act of the Legislative Assembly and Governor of the Territory of Nevada, subsequently approved and ratified by the Congress of the United States, and the legal, equitable, and moral commitment of the United States to its settlement rests solely thereon. Hence reimbursement, in its controlling aspects, was not before the Court of Claims nor adjudicated in its decision of March 14, 1910, all of which will hereinafter be conclusively shown.

No valid understanding of the unprecedented nature of Nevada's disbursements for the benefit of the United States can be had apart from review, such as hereinbefore presented, of its geographic, economic, and historical setting and the controlling circumstances of time and locality.

The expenditures of Nevada were exhaustively investigated by committees of the two Houses of the Fiftieth, Fifty-first, Fifty-second, Fifty-fourth, and Fifty-sixth Congresses and favorably reported for settlement by direct appropriation, the Senate invariably passing the bills, but such bills failed from one cause or another in the House.

The special nature of the expenditures was then recognized, but until after the Fifty-sixth Congress there had been no decisions of the Supreme Court of the United States under which its legal authorization by Congress and the commitment of the Government to its indemnification could be defined.

The equitable and moral validity of reimbursement, however, was attested by those best informed on its character and merits, as shown by the following extracts from the CONGRESSIONAL RECORD (56th Cong., 1st sess., vol. 33, pt. 7, p. 6278):

"Senator Hawley, of Connecticut, chairman Committee on Military Affairs: 'There is no sort of question of its justice.'

"Senator Eugene Hale, of Maine, ranking member Committee on Appropriations: 'The Senate is committed to this State claim by vote, by sentiment, and it is only a question of time when it will pass.'

"Senator Teller, of Colorado, chairman Committee on Claims: 'If there are any claims that are just and proper which the United States ought to pay, this is one of them. It is as sacred an obligation, in my judgment, as the national bonds.'" (Hearings on S. J. Res. 41, 70th Cong.)

Nevertheless, after the lapse of many years, Nevada yet carries the debt so incurred, the benefits of which accrued to the imperiled Union and the burden of which fell on the State. And at a cost then and since to its sparse population in excess of half a million dollars.

The set-offs thereto are one of $8,559.61 applicable to the principal sum, and the other of $12,283.04 as interest thereon, both of which items with interest from time of payment to date have been credited to the United States in the report of the Comptroller General dated January 26, 1929. (S. Doc. No. 210, 70th Cong., 2d sess.)

REIMBURSEMENT OF NEVADA BEFORE THE DEPARTMENTS

On November 1, 1882, pursuant to the act of June 27, 1882 (22 Stat. 111), the State of Nevada transmitted to the authorities of the Government a statement of the aforesaid expenditures accompanied with the original vouchers and other evidence of every kind then in her possession. It was not until four years later that provision was made for the detail of a board of three Army officers under Special Orders, No. 232, dated October 6, 1886, to examine and report on said expenditures. The board, in 1887, submitted majority and minority reports; the latter allowed $8,559.61 of such expenditures, which amount was approved and paid the State on April 10, 1888. The particular differences in the allowances of the two reports related to the salary of the adjutant general of Nevada and expenses of his office, the minority report terminating it as of August 20, 1866, the official date of the end of the war, instead of December 31 following, as approved by the majority, when its affairs were wound up and the office terminated.

The audit of the board discovered a double charge for rent of $38.33 which the State had paid; no other errors or improper items being found in the disbursements.

SO-CALLED BOUNTIES AND EXTRA PAY

As hitherto stated, up to that time there had been no decisions of the Supreme Court of the United States under which any legal commitment of the Government to reimburse the Nevada Territorial expenditures, as distinguished from the expenditures of other States and Territories, could be established; hence reimbursement of Nevada was included under the act of June 27, 1882, supra, with those of Texas, Colorado, Oregon, Nebraska, California, and Kansas for Civil War and Indian war expenditures. The act was general in its provisions for the entire section embraced and among other things provided:

"SEC. 2. That no higher rate shall be allowed for the services of said forces, and for supplies, transportation, and other expenses, than was allowed and paid by the United States for similar services in the same grade and for the same time in the United States Army serving in said States and Territories * * *."

With respect to Nevada Territory, it is pertinent to remark that there was no United States Army in the Territory or State when the Nevada expenditures were made except as comprised the Nevada volunteers.

The provisions of the foregoing act, morever, were construed by the department in connection with the act of July 27, 1861 (12 Stat. 276), and the Chase regulations governing its provisions, particularly in the following:

"III. Personal expenses of commissioned officers in recruiting their companies prior to their being mustered into the service will not be allowed; but commissioned officers may be allowed the same rates for subsistence and quarters (board and lodging) as privates from the date of enrollment until muster into the service * * *.

"VIII. Bounties or donations to men or their families to induce men to volunteer will not be recognized * * *."

REPORT OF WAR-CLAIMS EXAMINERS

The report of the war-claims examiners contains the following statements relative to bounties and extra pay as allowed and paid by Nevada:

"The bounty was paid to captains for expenses incurred by them in enlisting, lodging, and subsisting the men of their companies prior to their entering the United States service, in lieu thereof, as is shown by the fact that no other bills are presented for those expenses, and, under the circumstances, this expense was economical; but this claim having been submitted by the State of Nevada as a premium or bounty, the examiners are debarred from considering it, as, under the second section of the act of 1882, no higher rate can be allowed than was paid by the United States, which was $2 per enlistment.

* * * * * * *

"Prices of commodities of every kind were extravagantly high during the war period in Nevada, which depended for the transportation of its supplies upon wagon roads across mountain ranges that were impassable for six months of every year; and at certain times at least during the said period the rich yields of newly opened mines produced an extraordinary demand for labor, largely increasing wages and salaries. These high prices of commodities and services were consistent with, though in their causes independent of, the depreciation of the Treasury notes, which did not pass current in that section of the country, though accepted through necessity by the troops serving there; and it is safe to say that in Nevada the soldier could buy no more with a gold dollar than could the soldier serving in the Eastern States with the greenback or paper dollar.

"On the whole, therefore, we are decided in the conviction that in granting them this extra compensation the legislature was mainly instigated by a desire to do a plain act of justice to the United States Volunteers raised in the State and performing as arduous frontier service, by placing them on the same footing, as regards compensation, with the great mass of the officers and soldiers of the United States Army serving east of the Rocky Mountains. * * * But the fact remains that the declared purpose of the monthly allowance was to give a compensation to the Nevada volunteers, and that when measured by the current prices of the country in which they were serving their compensation from all sources did not exceed if, indeed, it was equal to the value of the money received as pay by the troops stationed elsewhere; i. e., outside of the Department of the Pacific." (S. Rept. No. 433, 70th Cong., 1st sess.)

Nevertheless, because the Territory of Nevada had used the words "bounty" and "extra pay" in the statute under which it had reimbursed officers the costs of recruiting in lieu thereof and did a "plain act of justice" to its volunteers, all but a small fraction of its expenditures made for the benefit of the United States was rejected on such technical ground.

REIMBURSEMENT BEFORE THE COURT OF CLAIMS

The act of Congress of May 27, 1902 (32 Stat. 235), making appropriation for the payment of certain claims, among other things, provided:

"That the claim of the State of Nevada for costs, charges, and expenses properly incurred by the Territory of Nevada * * * under the act of Congress of July 27, 1861 (12 Stat. 276), and joint resolution of March 8, 1862 (12 Stat. 615), as interpreted and applied by the Supreme Court of the United States in * * * New York against the United States, decided January 6, 1896 (160 U. S. 598), not hitherto allowed or hitherto disallowed by the accounting officers of the Treasury, shall be reopened, examined, and allowed, and, if deemed necessary, shall be transmitted to the Court of Claims for findings of fact or determination of disputed questions of law to aid in the settlement of the claims by the accounting officers."

The particular force of the New York decision referred to was to declare interest paid by a State on moneys borrowed for the benefit of the United States was an expenditure "properly incurred" within the meaning of the acts of 1861 and 1862.

The controversial questions of fact and law submitted to the Court of Claims for determination amounted to these: (1) What classes of expenditures should be allowed the State of Nevada and (2) what interest charges are allowable?

The court in its opinion (45 Ct. Cl. 279) specifically states:

"The sole question of law before the court is whether the expenditures for which claim is made by the State were 'properly incurred' within the meaning of the acts of 1861 and 1862.

"The question of the good faith of the State in incurring the expenditures for which it now claims reimbursement; the question of the pressing need of the State for troops during the period of the Civil War; the duty of the United States to provide for the common defense, and the benefits which may have accrued to them from troops raised in Nevada to aid in protecting the Pacific coast may all be conceded without enlarging the liability of the United States under the acts of 1861 and 1862."

That the State may have an equitable claim against the United States was conceded (p. 285, supra):

"That laws enacted * * * at the instance of the officer commanding the military department of the Pacific to provide funds with which to meet the expense of volunteers was quite natural and commendable under the conditions existing * * * and may give rise to some equity in favor of the claim; but that can have no legal force in the construction of the act of 1861 * * * but where there is a law, equity must follow, and hence we are called upon to determine, not the equities of the claim, but the controverted questions of law."

The court upheld the rules promulgated by Secretary Chase as governing the construction of the act of 1861. As all but $8,559.61 of the claim had been disallowed in 1887 under such rules as hereinbefore set forth, the sole effect of the decision was the allowance of interest on $8,559.61 amounting to $12,283.04, which was paid the State July 1, 1910.

That portion of the opinion which held that—

"Whatever valid claim exists in favor of the State of Nevada for reimbursement for moneys expended in raising troops to aid in suppressing the rebellion accrued, if at all, under the act of July 27, 1861"—

is obiter dicta; no question having been submitted, nor was within the jurisdiction of the court to hear and determine under the statute submitting the claim, as to any liability of the United States in the premises other than as accrued under the acts of 1861 and 1862.

ACTS OF 1861 AND 1862 NOT APPLICABLE

The acts of 1861 and 1862 specifically applied to States in their soverign capacities and were not intended to, nor did they, apply to the Territories which were under the direct authority of Congress. The act of Congress of July 27, 1861 (as amended by the joint resolution of March 8, 1862), in all pertinent provisions provided as follows:

"*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed * * * to pay to the governor of any State * * * the cost, charges, and expenses properly incurred by such State for enrolling * * * paying and transporting its troops employed in aiding the United States * * *." (12 Stat. 276.)

The radical distinction in relationship to the General Government of the States and Territories precludes any construction that said act applied, or was intended to apply, to the Territories.

"The State is a sovereign having no derivative powers, exercising its sovereignty by divine right. It gets none of its powers from the General Government. It has bound itself by compact with the other sovereign States not to exercise certain of its sovereign rights, and has conceded these to the Union, but in every other respect it retains its sovereignty which existed anterior to and independent of the Union. (Lowenstein *v.* Evans, 69 Fed. 908.)

"See also New Hampshire *v.* Louisiana, 108 U. S. 76; Ohio L. Ins. etc., Co. *v.* DeBolt, 16 How. 416; Spooner *v.* McConnell, 22 Fed. Cases No. 13245."

As contradistinguished from this reserved, unconceded sovereignty of the States, Chief Justice Waite, in the case of Brunswick First National Bank *v.* Yankton County (Dakota Territory, 1880), 101 U. S. 129, held:

"All territory within the jurisdiction of the United States not included in any State must necessarily be governed by or under the authority of Congress. The Territories are but political subdivisions of the outlying dominion of the United States. Their relation to the General Government is much the same as that which counties bear to the respective States, and Congress may legislate for them as a State does for its municipal organizations. The organic law of a Territory takes the place of a constitution as the fundamental law of the local government. It is obligatory on and binds the Territorial authorities; but Congress is supreme and for the purposes of this department of its governmental authority has all the powers of the people of the United States except such as have been expressly or by implication reserved in the prohibitions of the Constitution."

In the more recent opinion in the case of Christensen *v.* King County (Wash.), 239 U. S. 356, the Supreme Court stated:

"There is, of course, no dispute as to the sovereignty of the United States over the Territory of Washington or as to the consequent control of Congress. As an organized political division the Territory possessed only the powers which Congress had conferred. * * *

"See also Ex parte Morgan (Ark. 1883) 20 Fed. 208; Murphy *v.* Ramsey (Utah 1885), 114 U. S. 15; Church of Jesus Christ *v.* U. S. (Utah, 1890), 136 U. S. 1; U. S. *v.* McMillan (Utah, 1897), 165 U. S. 604."

It was not until October 31, 1864, date of Nevada's admission into the Union, that the acts of 1861 and 1862 were made applicable by the express provisions of section 11 of the enabling act of Congress of March 21, 1864—

"That from and after the admission of the said State of Nevada into the Union, in pursuance of this act, the laws of the United States, not locally inapplicable, shall have the same force and effect within said State as elsewhere within the United States."

Prior thereto, on February 20, 1864, the Territory had passed the act under which the expenditures here in question were made.

LEGAL, EQUITABLE, AND MORAL BASIS OF REIMBURSEMENT

The question of the legal, equitable, and moral liability of the United States in the premises resolves primarily into what congressional authorization, approval, or ratification, if any, attaches to the Territorial volunteers act and so invests it with a status different from that of an ordinary act of a Territorial assembly or the similar acts of States.

ACT RATIFIED BY CONGRESS

The organic act of the Territory of Nevada, approved March 2, 1861, required (sec. 3) that copies of the laws and proceedings of the legislative assembly and governor be transmitted to the President and the Congress of the United States. It appears from the following section of the Revised Law of the United States (1878):

"SEC. 1850. All laws passed by the legislative assembly and governor of any Territory except the Territories of Colorado, Dakota, Idaho, Montana, and Wyoming, shall be submitted to Congress and if disapproved shall be null and void"—

that the only other Territories, during the period 1861–1865, subject to this requirement were Nevada, New Mexico, Arizona, Washington, and Utah.

The Nevada Territorial volunteers act was duly transmitted and laid before the two Houses of Congress. (House Journal No. 62, 38th Cong., 2d sess., 1864–65, p. 7.)

Congress having the authority—and in respect to another act of the Territorial Assembly of Nevada, relating to corporations (12 Stat. 709), having exercised such authority—to disapprove and annul all or any portion of said act and not so doing, but allowing said act to stand, thereby approved and, in the premises, ratified said act as the act of the Territory of Nevada under authority of the United States; and is estopped from denying reimbursement. (Sowers case, 213 U. S. 5.)

The Territorial volunteers act was not an ordinary, but instead an extraordinary, act of the Legislative Assembly and Governor of the Territory of Nevada. It was not related to, but dissociated from, the ordinary subjects of Territorial legislation. It was, in effect, the assumption of an obligation of the Government of the United States and not of its own, in order to aid and assist the Government in an exigency with which the Government was unprepared to meet and cope. The Territory of Nevada was its primary resource, as hithereto shown, and acted only on urgent requisitions transmitted through the commander of the Department of the Pacific on behalf of the Secretary of War.

TERRITORIAL VOLUNTEERS ACT GOVERNS

The acts of 1861 and 1862 supra, not having been extended or made applicable to Nevada Territory, the Territorial volunteers act, as so approved and ratified by the Congress of the United States, became the governing law in the premises, to wit: An act of the Territory of Nevada under authority of the United States.

On this point the Supreme Court of the United States in the case of McLean *v.* D. & R. G. R. R. Co. (203 U. S. p. 38) held:

"The right to legislate in the Territories is conferred under constitutional authority by the Congress of the United States and the passage of a Territorial law is the exertion of an authority exercised under the United States."

In the case of Atchison, Topeka & Santa Fe Railway Co. *v.* Sowers (213 U. S. 5) the Supreme Court reaffirmed the decision in the McLean case and stated:

"The passage of a legislative act of a Territory is the exercise of authority under the United States."

The force of the Nevada Territorial volunteers act did not terminate with the admission of Nevada as a State. Section 2 of article 17 of its constitution, as approved by President Lincoln under authority, and "without further action whatever on the part of Congress" (Nevada enabling act of March 21, 1864), provided:

"SEC. 2. All laws of the Territory of Nevada at the time of the admission of this State, not repugnant to this constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the legislature."

On March 11, 1865, for reasons hereinbefore stated, the State Legislature of Nevada passed an act, notwithstanding the veto of the governor, repealing and simultaneously reenacting the provisions of the Territorial volunteers act; the sole material change being an increase of extra pay to officers according to rank and so equating their compensation on substantially the same basis relatively as allowed the soldiers; the relief made retroactive to cover the period of service.

"The repeal and simultaneous reenactment of substantially the same statutory provisions is to be construed, not as an implied repeal of the original statute but as a continuation thereof." (36 Cyc. 1084.)

Federal and State decisions supporting the above text are so uniform and voluminous that it has become an accepted principle of law.

The State of Nevada having been in honor bound to assume the liabilities accrued and accruing under the Territorial volunteers act, and the Congress of the United States having approved such assumption, the State is entitled to the full benefit of the Territorial volunteers act as the governing law defining the liability of the United States in the premises. It would therefore now appear that Congress inadvertently specified the act of 1861 applying to States only instead of the Nevada Territorial act under which the expenditures were made in the reference of the Nevada case to the Court of Claims.

ADJUSTMENT OF OFFICERS' PAY

The only portion of the unreimbursed principal sum of the expenditures made by the State of Nevada which did not accrue under the original provisions of the Territorial volunteers act was the increased allowance to officers by the State's amendment of March 11, 1865, the amount of which is comparatively small.

On the foregoing date the following state of facts obtained:

No premonition that the Civil War would speedily end.

The exigency of the Government for troops to protect the Overland Trail continuing and Nevada its primary recourse.

The third requisition of the Secretary of War upon Nevada to complete the recruiting of a regiment of cavalry and one of infantry still lacking, respectively four and seven companies to complete the quota.

Recruiting halted by the fact that men suitable for officers were needed both for the service and to recruit the men they were to command and who were unable, on account of the high cost of living, to make the sacrifice without some assistance.

Under these circumstances the State legislature, on March 11, 1865, had the right to rely on the Territorial volunteers act as governing in the premises and that the approval by Congress of said Territorial act sanctioned the granting of extra pay to Nevada volunteers in the exigency presented.

Moreover, Nevada, in responding to the urgent requisitions of the War Department to recruit troops to protect the Overland Trail, had acted and still was acting for and in behalf of the United States as principal. In the agency so undertaken, the situation being remote, the conditions being extraordinary, and the emergency one of national concern, it was expected to act in concurrence with the recommendations of the commander of the Department of the Pacific, as seemed best to accomplish the ends for which the agency was imposed.

Nevada so acted by amending the Territorial volunteers act as stated, and which action was necessary, proper, and indispensable in the premises and the authority for which was the Territorial volunteers act

itself and the continuation of the exigency which had caused its sanction by Congress.

The rule of agency as expressed in Story on Agency is applicable:

"Whether the authority be expressed or implied, it necessarily carries with it or includes in it as an incident all the powers which are necessary or proper or usual as means to effectuate the purposes for which the agency was created."

The leading case defining the authority of an agent in an emergency is that of Forrestier v. Bordman (9th Fed. Case 4945, also 1 Story, 43). The principal laid down therein has since threaded all American jurisprudence. If we substitute the word "agent" for "supercargo" and "principal" for "owner" as used by Justice Story in the decision, the governing rule is as follows:

"An agent is not bound to observe the exact terms of his instructions if thereby the interests of the principal would be sacrificed or his objects frustrated.

"In cases of necessity or great urgency it is only necessary that the agent should act bona fide and with reasonable discretion in order to bind the principal."

In United States v. Sheridan-Kirk Contract Co. (149 Fed. 809) the court held that when the emergency passes the privilege ceases.

On March 11, 1865, neither the emergency situation along the Overland Trail nor the exigency of the United States for troops to protect it had passed. The Legislature of Nevada was not bound to observe the exact terms of the Territorial volunteers act if thereby the interests of the United States would be sacrificed or its objects frustrated. It was only necessary that it should act in good faith and with reasonable discretion.

That it acted in good faith and with reasonable discretion has never been questioned. Moreover, it so acted at the express suggestion of the chief military officer of the United States in the region of the emergency, the commander of the Department of the Pacific (letter of March 8, 1865), and not independently of nor contrary to his recommendations.

The opinion of the Supreme Court of the United States in Miners' Bank case, cited by the court in the Atchison v. Sowers case, supra, is very pursuasive. From the opinion written by Mr. Justice Daniel we quote the following excerpt:

"Congress, in creating the Territorial governments, and in conferring upon them powers of general legislation, did not, from obvious principles of policy and necessity, ordain a suspension of all acts proceeding from those powers until expressly sanctioned by themselves, whilst, for considerations equally strong, they reserved the power of disapproving or annulling such acts of Territorial legislation as might be deemed detrimental. A different system of procedure would have been fatal to all practical improvement in those Territories, however urgently called for; nay, might have disarmed them of the very power of self-preservation. An invasion or insurrection or any other crisis demanding the most strenuous action, would have had to remain without preventive or remedy 'till the Congress, if not in session, could be convened, or, when in session, must have awaited its possibly procrastinated aid.'" (Miners' Bank v. State of Iowa, 12 How. 8; 19 U. S. 6.)

Applying the foregoing statements to the actual conditions existing in the Territory of Nevada at the time the debt in question was contracted by the Territorial legislature solely for the benefit of the United States—a vast desert region, sparsely populated, shut off from the rest of the Nation by impassable mountain barriers, both to the east and the west, for practically six months of each year; an Indian uprising which lasted for many years which, according to the commanding general of the Pacific, threatened the entire closure of communication with the Pacific coast—the action of the Territorial legislature under these circumstances was directly in accordance with the powers by it possessed, as stated by the Supreme Court in the Miners' Bank case rendered in 1861, such action receiving the approval of Congress.

LIABILITY OF THE UNITED STATES

The legal liability of the United States rests on the following grounds: (1) By approving said Territorial act of February 20, 1864, providing extra pay, Congress accepted said act as a modification of the act of 1861 and the regulations made thereunder so far as Nevada alone was concerned and thereby made such extra pay here in dispute valid. (2) It is proven that such extra pay was made by the Territory of Nevada avowedly for the benefit of the United States alone with the approval of Congress; and as stated by the Supreme Court such Territorial act was the exercise of the authority of the United States. (3) Congress is estopped from denying just reimbursement.

The moral liability of the United States rests on the fact that its sparse people struggled to build a commonwealth upon a desert, burdened themselves with the costs of statehood and debt to serve the Union in its exigencies at its urgent call.

The Supreme Court of the United States in United States v. Realty Co. (163 U. S. 427) said:

"That the case as presented to Congress was enough upon which to base the assertion that there was a moral and honorable claim upon the Public Treasury which that body had the constitutional right to recognize and pay; that even though in its purely legal aspects an invalid law could not be made the basis of a legal claim, the planter had acquired a claim against the Government of an 'equitable, moral, or honorable nature'; that the Nation, speaking broadly, owed a 'debt' to an individual when his claim grew out of right and justice—when, in other words, it was based upon considerations of a moral or merely honorary nature."

Reimbursement in accordance with the account stated by the Comptroller General in Senate Document No. 210, Seventieth Congress, second session, is strongly based on "right and justice," as the State of Nevada is not asking Congress to appropriate a dollar she has not actually expended for the benefit of the United States.

BILLS PASSED OVER

The bill (H. R. 13685) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. BLAINE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4937) continuing the powers and authority of the Federal Radio Commission under the radio act of 1927, and for other purposes, was announced as next in order.

Mr. COPELAND. I ask that this bill go over without prejudice.

The PRESIDING OFFICER. The bill will be passed over.

LIEUT. ROBERT O'HAGAN, SUPPLY CORPS, UNITED STATES NAVY

The bill (S. 3981) for the relief of Lieut. Robert O'Hagan, Supply Corps, United States Navy, was announced as next in order.

Mr. EDGE. Mr. President, I ask that Order of Business 1828, House bill 13812, which is identical with this bill, be substituted for the bill just read.

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

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13812) for the relief of Lieut. Robert O'Hagan, Supply Corps, United States Navy.

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

The PRESIDING OFFICER. Without objection, Senate bill 3981 is indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 12502) for the relief of John H. and Avie D. Mathison, parents of Charles W. Mathison, deceased, was announced as next in order.

Mr. KING. I should like an explanation of that bill, Mr. President. [A pause.] Let it be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

HUGH ANTHONY M'GUIGAN

The bill (H. R. 13658) for the relief of Hugh Anthony McGuigan was considered as in Committee of the Whole.

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

EDWIN I. CHATCUFF

The bill (H. R. 13721) for the relief of Edwin I. Chatcuff was considered as in Commtitee of the Whole.

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

BILL PASSED OVER

The bill (S. 5581) 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, was announced as next in order.

Mr. HAYDEN. I ask that this bill may be temporarily passed over until an identical House bill, which passed the House yesterday, may be messaged to the Senate.

The PRESIDING OFFICER. That order will be made.

FRANCIS LEO SHEA

The bill (H. R. 9009) for the relief of Francis Leo Shea was considered as in Committee of the Whole.

Mr. KING. Mr. President, I should like an explanation of this bill.

Mr. COPELAND. Mr. President, this is a bill where no money is involved. It is simply to do justice to a young man who was sent to Haiti, and on that account was not able to take an examination. The Senator will observe, however, that it is provided that a duly constituted naval retiring board must find that he incurred physical disability in line of duty; and it is also provided that no back pay, allowances, or emoluments shall become due him as a result of the passage of the bill.

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

FRANCIS J. M'DONALD

The bill (S. 2986) for the relief of Francis J. McDonald was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment 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, to Francis J. McDonald, owner of the American schooner *Henry W. Cramp*, the sum of $25,000, such sum representing losses sustained by the owner of the schooner because of the interruption of a voyage by reason of the intervention of the United States Shipping Board, effective August 21, 1917, causing the vessel to breach her charter party. The acceptance of such sum by the owner of the schooner shall be in full satisfaction of all claims of the owner in respect to such losses.

Mr. KING. Mr. President, I should like an explanation of this bill; and I will ask the Senator who reported it, if there is any liability at all, why it should not be paid out of the Shipping Board fund?

Mr. BLACK. Mr. President, this bill was originally introduced in a way which would have sent it to the Court of Claims for determination. On that bill, as a subcommittee, I reported unfavorably. The question then came up in the committee as to whether or not a part of the claim should be allowed. The Senator from Oregon [Mr. STEIWER] and myself then investigated it together as a subcommittee, having before us the men interested in the claim.

The claim is this:

Before the war, or before any activities which would have made it dangerous for shipping to cross the ocean, a contract was made to deliver certain goods to a foreign country. The boat started from a Gulf port, deviated from its course, and went to Norfolk. I reached the conclusion, and the committee agreed with me, that the deviation from its course would prohibit any liability, either equitable, moral, or legal, so far as the Government was concerned, as to any damages occurring up to that time.

The boat then stayed there for a short time, preparing to leave the port. After it had been there for several weeks, clearance was granted, and the boat prepared to get away. In the meantime the Shipping Board issued an order prohibiting this boat from going across the water. Other boats were permitted to clear from other ports. In other instances the Shipping Board took the cargo on the Government's own boat and transported it across the ocean. This cargo was held up. They did not permit it to go, although vigorous protests were filed; and finally the boat was towed up to Philadelphia, and great losses were sustained. A suit was filed against the shipper by a man named Rosasco, to whom he had agreed to transport the cargo. A judgment was rendered for something over $100,000, which judgment was sustained by the Supreme Court of the United States.

The Senator from Oregon and myself and the Senator from Colorado [Mr. WATERMAN], acting with us a part of the time, investigating as to the damages resulting, had full information given us. Claim was made for damages amounting to about $80,000. We investigated the matter fully, and cut down the amount to what we believed to be a minimum so low that no complaint could be made, and did not believe it wise to send the matter to the Court of Claims, which would simply cause additional expense; and we were very much of the opinion that if it went to the Court of Claims to determine the damages a larger amount probably would be awarded.

That is the bill under consideration.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. KING. In my time, may I ask the Senator why the Shipping Board prohibited this boat from sailing?

Mr. BLACK. The Shipping Board prohibited it by reason of the fact that it was considered dangerous at that time to transport cargoes across the water; and in most instances the Shipping Board itself took the cargo and transported it, and thereby any damages which might have resulted were prevented. This man has been out over $100,000 by reason of that order.

Mr. BAYARD. Mr. President, may I further state to the Senator from Utah a fact to which I think he has not paid attention, which was remarked upon by the Senator from Alabama, and that is that the Shipping Board took other cargoes from other vessels under similar circumstances, put them in Shipping Board boats and transported them, but refused to take this cargo.

Mr. KING. I paid attention to that, and I am wondering why they did it.

Mr. BAYARD. They gave no reason.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute.

The amendment was agreed to.

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

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

EDWARD C. DUNLAP

The bill (S. 5091) for the relief of Edward C. Dunlap was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Edward C. Dunlap, on account of injuries sustained on January 25, 1909, while employed by the Reclamation Service in the construction of the Gunnison Tunnel, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, without regard to the time of the filing of his claim for such benefits.

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

COMPACT BETWEEN COLORADO AND UTAH

The bill (H. R. 7028) granting the consent of Congress to compacts or agreements between the States of Colorado and Utah with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and all other streams in which such States are jointly interested was considered as in Committee of the Whole.

The bill had been reported from the Committee on Irrigation and Reclamation with amendments, on page 1, line 4, after the word "Colorado," to insert "Wyoming, New Mexico"; on page 2, line 3, after the word "interested," to insert "*Provided, however*, That such compacts or agreements shall be subsidiary to and subject to the terms of the Colorado River compact, signed at Santa Fe November 24, 1922, if and when approved"; on line 7, after the words "Sec. 2," to strike out "Such consent is given upon condition that a representative of the United States from the Department of the Interior" and insert "Upon request of the governors of said States, a representative of the United States"; and in line 11, after the word "negotiations," to insert "respecting any of said streams," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Colorado, Wyoming, New Mexico, and Utah to negotiate and enter into compacts or agreements providing for an equitable division and apportionment between such States of the water supply of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and of the streams tributary thereto and of all other streams in which such States are jointly interested: *Provided, however*, That such compacts or agreements shall be subsidiary to and subject to the terms of the Colorado River compact, signed at Santa Fe November 24, 1922, if and when approved.

SEC. 2. Upon request of the governors of said States, a representative of the United States, to be appointed by the President, shall participate in the negotiations respecting any of said streams and shall make report to Congress of the proceedings and of any compact or agreement entered into. Other than the compensation and expenses of such representative the United States shall not be liable for any expenses in connection with such negotiations, compact, or agreement. The payment of such expenses of such representative is authorized to be paid from the appropriations for cooperative and general investigations for the Bureau of Reclamation.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The amendments were agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act granting the consent of Congress to compacts or agreements between the States of Colorado, Wyoming, New Mexico, and Utah with respect to the division and apportionment of the waters of the

Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and all other streams in which such States are jointly interested."

C. C. SPILLER, DECEASED

The bill (S. 5787) for the relief of the estate of C. C. Spiller, deceased, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of C. C. Spiller, deceased, late of Hamilton County, Tenn., the sum of $8,000, found to be due him by the Court of Claims, in congressional case No. 10549 as appears by Senate Document No. 173, Fifty-ninth Congress, second session, being his share of the reasonable charter value, together with the destruction thereof, of a small steamboat, known as the *Paint Rock*, taken and used by the United States, and while in their possession accidentally destroyed and never paid for, all while the said C. C. Spiller, deceased, was a loyal citizen of the United States, as evidenced by the findings or report, dated June 27, 1864, of a board of claims designated by the commanding officer of the Department of the Cumberland, by Special Field Orders, No. 104, dated April 12, 1864, still of record in the War Department.

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

WYNONA A. DIXON

The bill (S. 5776) for the relief of Wynona A. Dixon was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,666.67 to Wynona A. Dixon, that being the value of certain of her property seized and appropriated by the military forces of the United States during the late Civil War, as found by the Court of Claims and reported in Senate Document No. 333, Sixty-first Congress, first session.

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

PENSIONS AND INCREASE OF PENSIONS

The bill (H. R. 16878) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered as in Committee of the Whole.

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

The first amendment of the Committee on Pensions was, on page 5, line 6, after the words "rate of," to strike out "$20" and insert "$12," so as to read:

The name of Morrow B. Wilson, late of Battery H, Ohio Volunteer Light Artillery, war with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 5, after the words "rate of," to strike out "$30" and insert "$12," so as to read:

The name of Emma C. Bragg, widow of Herbert E. Bragg, late of United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 15, to strike out:

The name of May R. Gehlbach, widow of William C. Gehlbach, late of the Seventy-third Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, with $2 per month additional for each minor child of the soldier until they shall attain the age of 16 years, respectively.

The amendment was agreed to.

The next amendment was, on page 8, line 10, after the words "rate of," to strike out "$90" and insert "$72," so as to read:

The name of George Curry, late of Company K, Eleventh Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 3, after the words "rate of," to strike out "$30" and insert "$20," so as to read:

The name of Sarah A. Byam, widow of William C. Byam, late of the United States Navy, war with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 21, after the words "rate of," to strike out "$30" and insert "$20," so as to read:

The name of Nancy M. Oglesby, widow of William W. Oglesby, late captain Company G, Second Regiment Oregon State Militia, Bannock Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 21, to insert:

The name of Sarah E. Boothe, helpless child of William H. Boothe, late of Company E, Second Regiment Kentucky Infantry, Mexican War, and pay her a pension at the rate of $20 per month.

The name of Archibald A. Cameron, late of Hospital Corps, United States Army, and pay him a pension at the rate of $20 per month.

The name of Mary A. Walters, widow of James A. Walters, late of Company G, Second Regiment Idaho Volunteer Militia, and pay her a pension at the rate of $12 per month.

The name of Burel E. Pollard, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Richard C. Baalke, late of Company F, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

The name of Peter Huntsman, late of Capt. James C. Owens's company, Utah Militia Cavalry, and pay him a pension at the rate of $20 per month.

The name of John E. Sutton, alias William Mitchell, late of Company H, Fourth Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of William A. Hawkins, late of Company I, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Frank Preusser, late of Company F, Third Regiment New Mexico Territorial Militia Volunteers, and pay him a pension at the rate of $12 per month.

The name of Richard C. Stirk, late Indian scout with Fifth United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Henry Y. Blackwell, late of Capt. Frank Maddox's company, Oregon Militia, and Captain Green's company, Oregon Cavalry, and pay him a pension at the rate of $12 per month.

The name of George Dixon, late of Field Artillery Detachment, United States Military Academy, and pay him a pension at the rate of $20 per month.

The name of Minnie A. Colbert, widow of George W. Colbert, alias George W. Willis, late of Battery D, Fourth United States Artillery, and pay her a pension at the rate of $20 per month.

The name of John S. Gates, late of Company C, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of $8 per month.

The name of Edith Quick, widow of John Henry Quick, late of United States Marine Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving in the Veterans' Bureau.

The name of Amelia V. Briscoe, widow of William J. Briscoe, late of Company A, Twenty-ninth Regiment United States Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving in the Veterans' Bureau.

The name of Wallace Cayton, late of Battery F, Fourth United States Artillery, and pay him a pension at the rate of $12 per month.

The name of Frank H. Bruce, late of Ninety-fifth Company, United States Coast Artillery Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Hutcheson, late of Company H, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary C. Von Ezdorf, widow of Rudolph H. Von Ezdorf, late assistant surgeon, United States Public Health Service, and pay her a pension at the rate of $30 per month.

The name of John Curran, late of Thirty-seventh Company, United States Coast Artillery, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Hugh M. Jones, late of Company I, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Anna M. Barnes, widow of Percy A. Barnes, late of Company G, Thirteenth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $20 per month.

The name of Walter L. Harmon, late of Troop E, Third United States Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of James T. Wood, late of Capt. D. W. Roberts Company D, Texas Frontier Battalion, and pay him a pension at the rate of $12 per month.

The name of Virgil H. Effinger, late of Company G, Seventh Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws:

The name of Mary Rowe Welsh, widow of John F. Welsh, late of Company F, Second Regiment Missouri Infantry, war with Spain, and pay her a pension at the rate of $30 per month.

The name of Fannie A. Struhs, widow of Martin C. Struhs, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Samuel A. Kersey, late of Company B, Third Regiment Georgia Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The name of Louise E. Prall, widow of Delaney L. Prall, late of Company K, Second Regiment Indiana National Guard, border defense, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William Haywood Revelle, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $10 per month.

The name of Margaret E. Hays, dependent mother of Wade H. Hayes, late of Company L, Second Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of Ida C. Watson, dependent mother of Thomas C. Watson, late of Company G, Second Regiment South Carolina Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Mary J. Thomas, dependent mother of John H. S. Thomas, late of Company D, First Regiment Florida Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Sarah Stanfield, dependent mother of John G. Stanfield, late of Company K, Nineteenth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Mary C. Judson, widow of George H. Judson, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month, with $2 per month additional for each minor child of the sailor until they shall attain the age of 16 years, respectively.

The name of Carolina Ryder, dependent mother of Walter Ryder, late of Company A, Independent Battalion, Washington Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of Mary Peterson, widow of Thomas H. Peterson, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Fred Koeckritz, late of Company M, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $18 per month.

The name of Frank B. McCartney, late of Company B, Fifteenth Regiment Pennsylvania Infantry, war with Spain, and pay him a pension at the rate of $20 per month.

The name of Rose Z. Cote, helpless and dependent child of Joseph H. Cote, late of Company G, First Regiment Maine Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of Sarah R. Atwood, dependent mother of Wiley M. Atwood, late of the Sixty-fourth Company, United States Coast Artillery, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Clinton A. Short, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $25 per month.

The name of Elizabeth A. Wilkinson, dependent mother of James Wilkinson, late of Company H, Sixteenth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of George E. Jones, late of Battery E, Sixth Regiment United States Artillery, war with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Sam H. Wilkinson, late of Capt. L. H. McNelly's Company A, Washington County, Texas Volunteer Militia, Indian wars, and pay him a pension at the rate of $12 per month.

The name of John F. Halpin, late of the United States Navy, war with Spain, and pay him a pension at the rate of $20 per month.

The name of Morrow B. Wilson, late of Battery H, Ohio Volunteer Light Artillery, war with Spain, and pay him a pension at the rate of $12 per month.

The name of Clarence Dehart, late of Company F, Thirty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month.

The name of John Stoll, late of Battery E, Sixty-fourth Coast Artillery, Regular Establishment, and pay him a pension at the rate of $25 per month.

The name of Emma P. Ripley, widow of John C. Ripley, late of Company G, Sixteenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catharine Krips, dependent mother of John Krips, late of Company K, Fourteenth Regiment Minnesota Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Urtilla N. Schroeder, widow of Emil C. Schroeder, late second lieutenant, Fifteenth Regiment Minnesota Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of Emma C. Bragg, widow of Herbert E. Bragg, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Americus Watt, late of Company M, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edward G. Murton, late of the United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $10 per month.

The name of Kate Thomas, dependent mother of William J. Thomas, late of the Sixteenth Company, United States Coast Artillery, war with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Margaret C. Donovan, widow of John Donovan, late scout, Forsyth Scouts, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ellen Noonan, dependent mother of Dennis F. Noonan, late of Company E, Nineteenth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Lena Jenkins, widow of Cecil D. Jenkins, late of the Air Service, Hawaiian Department, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month, with $2 per month additional for each of the minor children until they shall attain the age of 16 years, respectively, in lieu of that she is now receiving.

The name of Minnie V. Stahl, widow of August J. Stahl, late of Troop K, Second Regiment United States Cavalry, war with Spain, and pay her a pension at the rate of $30 per month.

The name of Carola M. Tonry, widow of Albert S. Tonry, late of Company L, Fifth Maryland Infantry, war with Spain, and pay her a pension at the rate of $30 per month.

The name of Clara E. Moor, widow of Daniel S. Moor, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Anna Steele, widow of Bernard C. Steele, late of Troop A, Fourth Regiment United States Cavalry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Ellis B. McNeeley, late of Company E, Sixth United States Infantry, Regular Establishment, and pay him a pension at the rate of $15 per month.

The name of George Curry, late of Company K, Eleventh Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Peter F. Van Auken, late of Battery B, Sixth United States Artillery, war with Spain, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Rachel L. Morris, widow of William A. Morris, late of Company U, Montague County, Texas Minute Men, Indian wars, and pay her a pension at the rate of $20 per month.

The name of Johanna Moss, widow of Christopher T. Moss, late of Companies B and A, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah A. Byam, widow of William C. Byam, late of the United States Navy, war with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles R. Reist, late of Company F, Tenth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of $25 per month.

The name of Margaret Harrold, dependent mother of Edward A. Hilgendorf, late of Company F, Sixth Regiment Ohio Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The name of Lizzie Gullett, widow of Frank H. Gullett, late of the Eighty-fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, with $2 per month additional for each minor child of the soldier until they shall attain the age of 16 years, respectively.

The name of Nancy M. Oglesby, widow of William W. Oglesby, late captain, Company G, Second Regiment Oregon State Militia, Bannock Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James Thompson, late of Battery K, Third Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Thomas Waters, dependent father of Eddie Waters, late of Company L, Tenth Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $12 per month.

The name of Minnie Yearout, dependent mother of Samuel L. Yearout, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William E. Dollard, late of Headquarters Detachment Second Battalion, Seventh Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Maggie L. Gibson, dependent mother of Frederick A. Gibson, late of Company A, Second Regiment South Carolina Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of William W. Cook, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mary H. Goldberger, widow of Joseph Goldberger, late surgeon, United States Public Health Service, and pay her a pension at the rate of $125 per month in special recognition of the services of Doctor Goldberger in discovering the essential cause of pellagra and means of its cure and prevention.

The name of Mary Dunn, widow of Peter J. Dunn, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Robert J. Edwards, late of the Forty-first Company, United States Coast Artillery Corps, war with Spain, and pay him a pension at the rate of $20 per month.

The name of Martha A. Osborne, widow of John J. Osborne, late of Company H, Nineteenth Regiment United States Infantry, war with Spain, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving, and in the event of death of the widow, Martha A. Osborne, a pension of $20 per month shall continue to Willard D. Osborne, the dependent and helpless child of the claimant.

The name of Samuel Round, late of the United States Navy, war with Spain, and pay him a pension at the rate of $20 per month.

The name of Mary C. Brown, dependent mother of George W. Cleaver, late of Company F, Second Regiment, Kentucky Infantry, war with Spain, and pay her a pension at the rate of $20 per month.

The name of Sarah E. Boothe, helpless child of William H. Boothe, late of Company E, Second Regiment Kentucky Infantry, Mexican War, and pay her a pension at the rate of $20 per month.

The name of Archibald A. Cameron, late of Hospital Corps, United States Army, and pay him a pension at the rate of $20 per month.

The name of Mary A. Walters, widow of James A. Walters, late of Company G, Second Regiment Idaho Volunteer Militia, and pay her a pension at the rate of $12 per month.

The name of Burel E. Pollard, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Richard C. Baalke, late of Company F, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

The name of Peter Huntsman, late of Capt. James C. Owens's company, Utah Militia Cavalry, and pay him a pension at the rate of $20 per month.

The name of John E. Sutton, alias William Mitchell, late of Company H, Fourth Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of William A. Hawkins, late of Company I, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Frank Preusser, late of Company F, Third Regiment New Mexico Territorial Militia Volunteers, and pay him a pension at the rate of $12 per month.

The name of Richard C. Stirk, late Indian scout with Fifth United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Henry Y. Blackwell, late of Capt. Frank Maddox's company, Oregon Militia, and Captain Green's company, Oregon Cavalry, and pay him a pension at the rate of $12 per month.

The name of George Dixon, late of Field Artillery Detachment, United States Military Academy, and pay him a pension at the rate of $20 per month.

The name of Minnie A. Colbert, widow of George W. Colbert, alias George W. Willis, late of Battery D, Fourth United States Artillery, and pay her a pension at the rate of $20 per month.

The name of John S. Gates, late of Company C, Nineteenth Regiment United States Infantry, and pay him a pension at the rate of $8 per month.

The name of Edith Quick, widow of John Henry Quick, late of United States Marine Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving in the Veterans' Bureau.

The name of Amelia V. Briscoe, widow of William J. Briscoe, late of Company A, Twenty-ninth Regiment United States Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving in the Veterans' Bureau.

The name of Wallace Cayton, late of Battery F, Fourth United States Artillery, and pay him a pension at the rate of $12 per month.

The name of Frank H. Bruce, late of Ninety-fifth Company, United States Coast Artillery Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Hutcheson, late of Company H, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary C. von Ezdorf, widow of Rudolph H. von Ezdorf, late assistant surgeon, United States Public Health Service, and pay her a pension at the rate of $30 per month.

The name of John Curran, late of Thirty-seventh Company, United States Coast Artillery, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Hugh M. Jones, late of Company I, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendments were agreed to.

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

The PRESIDING OFFICER. The clerk will read the proposed amendment.

The CHIEF CLERK. On page 14, line 14, at the end of the line, strike out "$30" and insert in lieu thereof "$125."

Mr. OVERMAN. Mr. President, a bill for the relief of this lady passed the Senate, and also passed the House, providing that this widow be allowed $4,500. It passed the Senate, it passed the House, but got tangled up at the end of the last session, and never was enacted.

Instead of giving this widow $4,500 I have concluded it best to give her a pension. She is an old lady, and somebody might take the $4,500, or she might lose it, and she has to have aid to support a child. This is a just claim. I will ask to have printed in the RECORD a copy of the House committee report on the bill.

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

[H. Rept. No. 1470, 67th Cong., 4th sess.]

WIDOW OF RUDOLPH H. VON EZDORF

Mr. EDMONDS, from the Committee on Claims, submitted the following report (to accompany S. 528):

The Committee on Claims, to whom was referred the bill (S. 528) for the relief of the widow of Rudolph H. von Ezdorf, deceased, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Strike out the preamble.

Attached herewith is Senate Report No. 766.

There is also attached communication from the Secretary of the Treasury under date of January 20, 1923, with inclosure.

[S. Rept. No. 766, 67th Cong., 2d sess.]

The Committee on Claims, to whom was referred the bill (S. 528) for the relief of the widow of Rudolph H. von Ezdorf, deceased, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

On page 2, line 5, strike out the words "two years" and insert in lieu thereof the words "one year."

The facts in the case are fully set forth in Senate Report No. 436, Sixty-sixth Congress, second session, which is appended hereto and made a part of this report.

[S. Rept. No. 436, 66th Cong., 2d sess.]

The Committee on Claims, to whom was referred the bill (S. 3205) for the relief of the widow of Rudolph H. von Ezdorf, deceased, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts in the case are fully set forth in Senate Report No. 465, Sixty-fifth Congress, second session, which is appended hereto and made a part of this report.

[S. Rept. No. 465, 65th Cong., 2d sess.]

The Committee on Claims, to whom was referred the bill (S. 2474) for the relief of the widow of Rudolph H. von Ezdorf, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

On page 2, line 2, strike out the figures "$9,000" and insert in lieu thereof the figures "$4,500."

The bill provides for the payment to the widow of Rudolph H. von Ezdorf, a late surgeon and a commissioned officer in the United States Public Health Service, the sum of $9,000 on account of the death of her husband, which was caused by myocarditis, contracted as a sequel to an attack of yellow fever incurred in the line of duty while an assistant surgeon engaged on the special work of suppressing an epidemic of yellow fever in the State of Mississippi during the year 1898.

After a careful consideration of the bill your committee is of the opinion that the bill should be amended so as to allow a sum equal to a year's salary, and as so amended recommend its passage.

The facts are carefully set forth in the following letter and memorandum, dated January 30, 1918, from Hon. James H. Moyle, Assistant Secretary of the Treasury, which is appended hereto and made a part of this report:

TREASURY DEPARTMENT,
Washington, January 30, 1918.

Hon. JOSEPH T. ROBINSON,
Chairman Committee on Claims, United States Senate.

MY DEAR SENATOR: In reference to your letter of January 28, requesting information relative to the provisions of bill S. 2474, for the relief of the widow of the late Surg. R. H. von Ezdorf, and also requesting an expression of opinion from this department as to the merits of this proposed legislation, I have to transmit herewith a memorandum containing data in respect to Surgeon von Ezdorf's services as an officer of the United States Public Health Service and the circumstances leading up to his death.

It is the opinion of this department that the proposed measure is a meritorious one and deserving of favorable consideration.

Respectfully,

J. H. MOYLE, *Assistant Secretary.*

MEMORANDUM FOR THE CHAIRMAN OF THE COMMITTEE ON CLAIMS, UNITED STATES SENATE, RELATIVE TO BILL S. 2774

On June 18, 1917, this bill was introduced in the Senate by Senator Owen and was referred to the Committee on Claims.

The bill provides for the relief of the widow of the late Surg. R. H. von Ezdorf, United States Public Health Service. Doctor von Ezdorf entered the Public Health Service in March, 1898. He passed a rigid physical examination at that time and was found to be physically sound. In the fall of 1898 he was ordered by the Surgeon General of the Public Health Service to duty in connection with the suppression of a yellow-fever epidemic at Taylor, Miss., and while so engaged contracted the disease in a serious form. From the nature of the relapse he had at that time it was evident that the heart muscles were considerably affected. Subsequently, however, he recovered and until the date of his death led a very active life in public-health work, more especially in the investigation of the control of malarial fever in the Southern States.

He served as quarantine officer at Santiago during the intervention by the United States, and later at Habana and Matanzas, Cuba. He also served at Colon and Cristobal, Canal Zone, when the Government first acquired those possessions. In 1914, at the request of the Secretary of the Navy, Doctor von Ezdorf was assigned to duty with the forces of occupation accompanying the battleship fleet to Vera Cruz, where he was port medical officer and consultant in the sanitation of that port. Aside from these various details he served in epidemics of yellow fever, plague, and cholera, and subsequent to 1912 was engaged in extensive investigations of malarial fever in the United States and measures for its eradication and prevention. His death occurred near Lincolnton, N. C., on September 8, 1916, from acute dilatation of the heart while running for shelter to escape an oncoming storm. At the time of his death he was making a field investigation of malarial fever in that section. The exertion which caused the acute dilatation in this connection was not sufficient to affect the normal heart, and in studying the case the only cause to which the cardiac weakness can be ascribed is the attack of yellow fever in 1898. His heart was perfectly sound when he entered the service, and he had no other illness except yellow fever since becoming a service officer.

This case appears similar to that of the late Maj. James Carroll, Medical Corps, United States Army, who died in 1907 of a cardiac condition attributed to an attack of yellow fever acquired by him in 1898. Congress in the case of Major Carroll voted a special pension to his widow of $125 per month. There is no provision in law granting a pension to the widows of Public Health Service officers who have died in the line of duty, and the commission for the enforcement of the employees' compensation act has ruled that an officer is not an employee within the meaning of the referred to act, and consequently is not entitled to any of the benefits prescribed therein.

This legislation may well be based on the grounds that Doctor von Ezdorf's death was incurred in line of duty, and that the actual cause and contributing factors were the result of the performance of his official duties.

Congress has apparently acquiesced in the justice of such an argument, as instanced by Private Act No. 56, of May 6, 1910, which provided for Mrs. W. W. Miller, widow of Assistant Surgeon Miller, deceased, a sum equivalent to two years' pay and allowances of Assistant Surgeon Miller, who died in the line of duty from typhoid fever contracted while engaged on a typhoid survey.

The widow of the late Passed Asst. Surg. T. B. McClintic, by Private Act No. 47, of June 24, 1914, was given the amount of salary and allowances for two years of Passed Assistant Surgeon McClintic, who died from Rocky Mountain spotted fever incurred in the line of duty.

The Southern Medical Association, southern health officers, Louisiana State Board of Health, and various other medical organizations of the Southern States at various dates subsequent to Surgeon von Ezdorf's death passed resolutions in recognition of his efforts and achievements in the field of sanitation in the Southern States.

Doctor von Ezdorf at the time of his death was 44 years of age. He is survived by a wife and minor child.

WASHINGTON, *September 17, 1898.*

Assistant Surgeon VON EZDORF,
Marine Hospital Service, Morgan City, La.:

Take first train and proceed to Taylor, Miss., reporting to Cobb for duty at Orwood. Do not stop in Astronomer.

WYMAN.

Epidemic fund, Bailhache.

Official:

RUPERT BLUE, *Surgeon General.*

MARINE HOSPITAL SERVICE,
New Orleans, La., October 26, 1898.

The SURGEON GENERAL, UNITED STATES MARINE HOSPITAL SERVICE,
Washington, D. C.

(Through the medical officer in command.)

SIR: I would respectfully request sick leave for 15 days, beginning October 31, 1898, in order to properly recuperate from my recent attack of yellow fever and relapse contracted during duty at Taylor and Orwood, Miss.

Respectfully yours,

R. H. VON EZDORF,
Assistant Surgeon, Marine Hospital Service.

Respectfully forwarded, approved. Doctor von Ezdorf is unable to do duty at present and can recuperate better away from his work. Has nowhere to stay here save at hotel.

H. R. CARTER,
Surgeon, Marine Hospital Service.

Official:

RUPERT BLUE, *Surgeon General.*

FEBRUARY 2, 1915.

Surg. R H. VON EZDORF,
United States Marine Hospital, New Orleans, La.

SIR: For the purpose of conducting systematic investigations of malaria, you are hereby authorized to proceed, with the approval of the bureau, to such points in the Southern States as may be necessary in order to make malaria surveys and to collect specimens and other data. You are also authorized to order, with the approval of the bureau, the personnel employed in field investigations of malaria to proceed on like duty to points in the Southern States. Previous orders issued to you on this subject are hereby revoked.

While carrying out these orders, your status will be that of special temporary duty, and upon completion of the duty enjoined you will return to your station at New Orleans, La.

Respectfully,

RUPERT BLUE, *Surgeon General.*

The expenses incurred in carrying out the foregoing instructions are hereby authorized.

B. R. NEWTON, *Assistant Secretary.*

VON EZDORF, SEPTEMBER 5, 1916.
Public Health Service, Fort Lawn, S. C.:

At request superior court of Lincoln County, N. C., proceed Indian Creek, Lincoln County, and vicinity to investigate relation impounded waters to malaria prevalence. Attorney L. B. Wetmore, Lincoln, N. C., states drainage commission, Indian Creek drainage district, will reimburse expenses incurred. Information obtained to be presented before court in case coming for trial October term Lincoln County court.

GLENNAN, *Acting.*

NEW ORLEANS, LA., *February 24, 1917.*

To the UNITED STATES SENATE,
Washington, D. C.

GENTLEMEN: In view of the fact that Senate bill 8190, introduced by Senator Owen February 8, 1917, for the relief of the widow of Rudolph von Ezdorf, is now pending in the Senate, we, the undersigned, feel it our duty in appreciation of the magnificent services rendered by Doctor von Ezdorf in his official capacity in this section of our country to urge upon you to lend every assistance you can to the end that this bill may become a law.

We do not wish to take your time with a recitation of the many benefits which have come to us in the South and indirectly to the whole country on account of the great work performed by Doctor von Ezdorf against yellow fever and malaria, but can not refrain from saying that we believe the relief contemplated by the bill will be but a small return by this country for the benefits received from Doctor von Ezdorf's services.

Respectfully,

W. H. SEEMANN, M. D.,
President Louisiana Medical Society.
P. J. GELPI, M. D.,
President Orleans Parish Medical Society.
W. H. ROBIN, M. D.,
Acting Superintendent of Health, City of New Orleans.

(To Senators BROUSSARD and RANSDELL.)

FEBRUARY 17, 1917.

The following resolution was unanimously adopted by the Louisiana State Board of Health October 18, 1916:

"*Resolved*, That in the death of Dr. R. H. von Ezdorf, late surgeon of the United States Public Health Service, the Louisiana State Board of Health has sustained a loss. His work in Louisiana as a health official and especially his courteous, cordial, and efficient cooperation with this board in the study and eradication of malaria, should be remembered as a lasting tribute to his services to the State of Louisiana."

A true copy.

[SEAL.] M. W. SWORDS,
Secretary Louisiana State Board of Health.

RESOLUTION PREPARED BY DR. OSCAR DOWLING, PRESIDENT STATE BOARD OF HEALTH, STATE OF LOUISIANA

Whereas the late distinguished Dr. Rudolph von Ezdorf was for many years engaged in the Public Health Service; and

Whereas in his death the service and medical profession has lost one of its greatest leaders: Be it

Resolved, That we, southern health officers assembled, representing nine States in which his untiring efforts and devotion to the cause of disease prevention are best known, do extend our most sincere sympathy to his family; that we deplore his untimely death, and take this occasion to give expression to our appreciation of his efforts to better health conditions throughout the Southern States, and to pay tribute to his gentle nature, his efficiency, initiative, spirit of self-sacrifice, and his achievements.

A true copy.

OSCAR DOWLING.

TREASURY DEPARTMENT,
Washington, January 23, 1923.

Hon. GEORGE W. EDMONDS,
Chairman Committee on Claims,
House of Representatives, Washington, D. C.

MY DEAR MR. EDMONDS: Referring to the request of your committee for an expression of opinion as to the merits of the bill (S. 3205) for the relief of the widow of Rudolph H. von Ezdorf, deceased, I have the honor to transmit herewith a memorandum containing data with respect to Surgeon von Ezdorf's services as an officer of the United States Public Health Service and the circumstances leading up to his death.

In view of these facts, it is the opinion of this department that the proposed measure is a meritorious one and deserving of favorable consideration.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

MEMORANDUM RELATIVE TO THE PROPOSED ACT FOR THE RELIEF OF THE WIDOW OF R. H. VON EZDORF, DECEASED

This legislation is requested on the grounds that Doctor von Ezdorf's death was incurred in the line of duty, and that the actual cause and contributing factors were the results of the performance of his official duties.

Congress has apparently acquiesced in the justice of such an argument, as instanced in Private Act No. 56, of May 6, 1910, which gave to Mrs. W. W. Miller, widow of Assistant Surgeon Miller, deceased, a sum equivalent to two years' pay and allowances of Assistant Surgeon Miller, who died in line of duty from typhoid fever, contracted while working on a typhoid survey.

The widow of Passed Asst. Surg. T. B. McClintic, by Private Act No. 47, of June 24, 1914, was given the amount of salary and allowances for two years of Passed Assistant Surgeon McClintic, who died from Rocky Mountain spotted fever incurred in line of duty.

Doctor von Ezdorf entered the Public Health Service in March, 1898. He was physically sound at that time and passed a rigid physical examination. In the fall of 1898 he was ordered by the Surgeon General of the Public Health Service to duty in connection with the suppression of a yellow-fever epidemic at Taylor, Miss., and while so engaged contracted the disease in a serious form. From the nature of the relapse which he had at that time it is evident that the heart muscles were considerably affected. Subsequently, however, he recovered, and from that time until the date of his death led a very active life in public-health work, more especially in the investigation and control of malarial fever in the South.

He was promoted to the grade of passed assistant surgeon in 1903 and to the grade of surgeon in 1912.

He served as quarantine officer at Santiago during the intervention of the United States and later at Habana and Matanzas, Cuba. He also served at Colon and Cristobal, Canal Zone, when the Government first acquired those possessions. In 1914, at the request of the Secretary of the Navy, Doctor von Ezdorf was assigned to duty with the forces of occupation accompanying the Battleship Fleet to Vera Cruz, where he was port officer of the city and consultant in the sanitation of that port.

Aside from these details, he served in various epidemics of yellow fever, plague, and cholera, and subsequent to 1912 was engaged in extensive investigations of malarial fever in the Southern States and in measures for its prevention and eradication.

His death occurred near Lincolnton, N. C., on September 8, 1916, from acute dilatation of the heart, as a result of unusual exertion in running for shelter to escape an oncoming storm. At the time of his death he was making a field investigation of the prevalence of malarial fever in that section.

The exertion which caused acute cardiac dilatation in this connection was not sufficient to affect a normal heart, and it is only reasonable to assume that Doctor von Ezdorf had a certain cardiac weakness, and in studying the case the only cause to which the cardiac weakness can be ascribed is the attack of yellow fever in 1898, as his heart was perfectly sound when he entered the service, and he had had no illness other than yellow fever since being a service officer.

Doctor von Ezdorf is survived by a wife and daughter.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, a member of the Pensions Committee of the House who has been sick a long time had a bill before the Pensions Committee to pay the widow of a soldier $20, and I will send forward another amendment covering that case.

The PRESIDING OFFICER. The clerk will read the amendment.

The CHIEF CLERK. Insert at the end of the bill the following:

The name of Sarah D. Rich, dependent mother of Wade T. Hall, late of Company K, Third Regiment North Carolina Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, I ask to have printed in the RECORD a statement of the facts in this case, so the House conferees will have them.

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 22, 1929.

In re House bill 15991.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: Referring to my conversation with you over the telephone on yesterday concerning a bill I introduced in the House for the relief of Mrs. Sarah D. Rich, Randleman, mother of Wade T. Hall, who was killed on the Mexican border while serving with the National Guard, I furnish you with the following data:

House bill 15991 provides for a pension of $20 a month to Mrs. Sarah D. Rich, dependent mother of the late Wade T. Hall, who was killed while serving in Company K, Third North Carolina Infantry. This bill would have been acted upon favorably by the Pensions Committee, of which I am a member, so I am advised by members of the committee and by the clerk to the committee, but it was not reached. All I had done in the matter was to furnish the data requested by the committee. Just after the bill had been introduced I was taken ill and could not appear before the committee in the matter.

The claimant, Mrs. Sarah D. Rich, has no real estate and no personal property except $200 which she acquired from the property of her late husband. She has this money on interest. She is unable to work, and this money is her only income. Mrs. Rich lives with her son, who boards her. She furnishes her own clothing. The son with whom she lives is a day laborer at small wages and has a family to support, and it is with great difficulty that he can provide the actual necessities of life. Medical care of Mrs. Rich is required constantly. She has myocarditis and is unable to do any kind of work. This disease, as I understand it, affects the muscles of the heart and is extremely dangerous, and sometimes follows as an aftermath of the influenza.

The foregoing facts were taken from a statement made by the attending physician, Dr. C. E. Wilkerson, and by a near neighbor, Mr. D. R. Bulla, who is one of the best and most trustworthy citizens of my country.

I have known Mrs. Rich a long time, and knew her first husband and her second husband. Her son, Wade T. Hall, was not married. Wade T. Hall was serving with the National Guard on the Mexican border, at El Paso, Tex., at the time he was killed. He was killed December 31, 1916.

Mrs. Rich filed a claim with the Pension Bureau, but the claim was disallowed on the ground that the injury causing the death of her son was not in line of duty; but it was as much or more in the line of duty, according to my view on the matter, than several cases that have been acted upon favorably by the Pension Bureau.

I would, indeed, be glad if you could get this through. It is not my purpose to ask for anything that does not have merit.

This is the first and only bill I have ever had before my committee asking for the relief for any person in the congressional district which

I have the honor to represent in Congress. I do not ask for its passage on that account, but from the evidence produced. I have never made a raid upon the Treasury.

Thanking you for the favor and with best wishes, I am,

Sincerely yours,

WM. C. HAMMER.

Mr. BRATTON. I send forward an amendment which I ask to have agreed to.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. Insert at the end of the committee amendment at the end of the bill and after the amendment of Mr. OVERMAN the following:

The name of Alpha W. Felter, late of Company A, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. TYSON. Mr. President, my colleague the senior Senator from Tennessee [Mr. MCKELLAR] has offered an amendment. He is engaged in the Committee on Post Offices and Post Roads in reference to the Memphis postmaster. I do not know the details of the amendment, but I ask to have it read.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 11, after line 25, insert the following:

The name of Mary Frances McConnell, dependent widow of Lieut. Frank Brower McConnell, late of the One hundred and fifth Observation Squadron, killed by a falling airplane while on duty in said plane, and pay her a pension at the rate of $150 per month.

Mr. ROBINSON of Indiana. Mr. President, is that offered on behalf of the senior Senator from Tennessee?

Mr. TYSON. The senior Senator from Tennessee has offered that as an amendment. I do not know the details of it.

Mr. ROBINSON of Indiana. I was under the impression it was to be offered for $50 a month. The Senator spoke to me about the matter, and in that I thought we had agreed.

Mr. TYSON. I know nothing about it, except that I found it here, and I did not want the bill to be passed without having an opportunity to have this incorporated. I offer it as an amendment.

Mr. NORBECK. Mr. President, on behalf of the committee I want to say that we can not accept the amendment in that sum. If the Senator will make it $50 a month, I see no objection to accepting it.

Mr. BRATTON. As a member of the Committee on Pensions I desire to join in the expression just made, and I express the hope that it be submitted for $50 a month, in line with the understanding between the senior Senator from Tennessee and the chairman of the committee.

Mr. TYSON. Will the Senator permit me to have it passed over for a moment until I see my colleague?

Mr. BLEASE. That is the request I was about to make. The senior Senator from Tennessee is engaged in a meeting of the Committee on Post Offices and Post Roads about the postmaster of his home city.

Mr. TYSON. I understand from the senior Senator from Texas [Mr. SHEPPARD] that my colleague had left word with him that he was willing to have it made $50 a month. I therefore submit the amendment in that sum.

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

At this point Mr. MCKELLAR reentered the Chamber.

Mr. MCKELLAR. Mr. President, I was detained in the Committee on Post Offices and Post Roads on the Memphis postmaster nomination, or I would have been here sooner.

This amendment was offered by me for the purpose of compensating Mary Frances McConnell, dependent widow of Frank B. McConnell, formerly of Nashville, Tenn. Lieutenant McConnell was a lieutenant in the Air Corps, being a member of the One hundred and fifth Observation Squadron, Tennessee National Guard. Nearly two years ago, early in June, 1927, Lieutenant McConnell was called to duty at Langley Field, Va. While engaged in air maneuvers in the service of their country Lieutenant McConnell and Lieut. C. A. Anderson were killed. Their plane crashed near the post incinerator and burst into flames as it hit the ground, both airmen being burned almost beyond recognition. Lieutenant Anderson and Lieutenant McConnell were members of the Tennessee National Guard. The machine, *O-26* plane, was about 150 feet in the air when it suddenly crashed earthward. The cause of the accident was not known. The plane was on its way to the target grounds for machine-gun practice when it crashed. Witnesses say that the machine went into a tail spin while apparently trying to make a turn.

Maj. J. C. Bennett, when told of the accident, said that it was hard to believe in the light of Lieutenant McConnell's ability as a pilot. He recalled the time of McConnell's enlistment four years ago and his steady climb through the ranks to the office of first lieutenant. In addition to his skill as a pilot, Lieutenant McConnell was praised by his superior as an unusually well-qualified officer, due to his inherent qualities and experience gained during his service during the World War with the marines.

In 1916, during the trouble on the Mexican border, McConnell enlisted in the National Guard and served with the American troops under command of General Pershing. Upon the return of the troops, while the United States had not yet entered the European war, he enlisted in the United States Marine Corps and received his early training at Paris Island. He returned to Nashville with the noncommissioned rank of sergeant and served on recruiting duty. During his recruiting service the Nashville station made a wonderful record in war-time enlistments. He was then sent to Quantico, Va., for further training and there received his commission as second lieutenant in the Marine Corps. During the war he saw service in Haiti and Cuba, the marines playing an important part in quelling the revolution in Haiti. He joined the One hundred and fifth Observation Squadron in 1923 and was then sent to Brooks Field, Tex., in 1925, where he was commissioned a second lieutenant. He was later commissioned first lieutenant and was made commanding officer of the One hundred and sixty-fifth Photo Section and officer in charge of Blackwood Field. He was an expert with the pistol and a sharpshooter, having won medals for proficiency in these lines in the Marine Corps.

Mr. President, the reason I have accepted $50 is because I can not at this time get more. One hundred and fifty dollars would be little enough surely, but rather than get nothing I have accepted what the chairman has agreed to.

Mr. President, I ask unanimous consent to insert in the RECORD certain newspaper articles which give an account of the accident, and a history of this soldier.

TWO YOUNG FLYERS

Nashville was deeply shocked and grieved yesterday afternoon when it was learned that the lives of Lieuts. F. B. McConnell and C. A. Anderson had been claimed by one of the air's abrupt tragedies at Langley Field in Virginia. Both these fliers were young men who were only in the beginning of careers that promised much of worth-while achievement. That they were possessed of daring and adventurous spirits is testified by the fact that they were flyers. Men do not go up in the air in ships unless they have something more of courage and initiative than is granted the average person among us. When these two young flyers met their doom they were engaged in patriotic service no less commendable than if it had been in time of war. On account of superior skill and interest in their important branch of military service, they had been assigned to take a special flying course at Langley Field.

Why these two young men should have been marked by death is one of those things that mortal man can but confess he does not and can not understand. Certain it is, however, that the end of their lives came while they were employed in the endeavor to fit themselves to be of more efficient service to their native land if the need should arise. The lives of these two young men may be put down as part of the price man is paying for a more certain knowledge of the navigation of the air and as sacrifices paid that those who come after them may live more fully. The pioneers of the air have been and are as courageous as those other pioneers who braved wilderness and savage. Sorrow for the loss of these two young flyers is widespread and genuine and tempered only by the thought that they died as men must who do and dare beyond the ordinary.

[From the editorial page of the Tennesseean, June 15]

LIEUTENANTS M'CONNELL AND ANDERSON

Accustomed as we are to air tragedies, the shocking deaths of two Nashville aviators, Lieut. Frank B. McConnell and Lieut. Cornelius Anderson, at Langley Field, Va., while in the performance of their duties, has cast a pall of gloom over the city and State and will be a source of poignant grief among an unusually large circle of friends and associates. Their deaths in the air again emphasizes the dangers of aviation despite all of the progress that has been made. They were both accomplished pilots; both had been promoted because of their proficiency as aviators. They had each made enviable records in the air service of the State and Nation.

Pending an investigation and official inquiry, it is yet too early to determine the cause of this deplorable accident. It is gratifying by reason of the admirable record that both had made in the field of aviation to know that their deaths were due to some mechanical fault

and in no sense to any error that they made. All human progress has been builded on the sacrifices, the heroism, the daring, and the blood of the pioneers. It does seem to us, however, that aviation, great achievement that it is for mankind, has exacted a terrible toll in human life. This is the second awful tragedy of this kind in American aviation within the month.

Lieutenant McConnell, a native of Nashville, had made an enviable record in the service of his country. He was with Pershing on the Mexican border and served with the armed forces during the World War. After peace he did not cease in his service to his country but became a member of the local aero squadron, where his aptitude as a flyer soon gained recognition. He was a capable and trusted officer and wore the uniform of his country with credit. His companion, Lieutenant Anderson, was a Nashvillian by adoption. He was educated here and served ably in the aviation service of the State.

It is highly fitting that these gallant and intrepid young soldiers should be buried with all military honors. They fell at the front in line of duty, as much so as if they had been brought to earth by the bullets of some enemy. In this dark hour the family and friends of our young heroes may have their grief assuaged in the knowledge that they possess the entire sympathy of their fellow citizens and of Americans everywhere who prize and applaud devotion to duty.

[From the Tennesseean, June 15]

COMPLETE PLANS FOR FUNERAL OF ILL-FATED FLYER—LIEUTENANT MCCONNELL'S BODY TO BE TAKEN TO FATHER'S HOME

Accompanied by a military escort from Langley Field, where he and Lieut. Cornelius Anderson were killed when their plane fell in flames Monday morning, the body of Lieut. F. B. McConnell left Newport News at 5 o'clock Tuesday afternoon. The funeral cortege will arrive in Nashville at 8.40 o'clock Thursday morning over the Louisville & Nashville Railway, according to news received by Adjt. Gen. W. C. Boyd and members of Lieutenant McConnell's family from the field commandant Tuesday night. At the request of W. A. Anderson, of La Centre, Ky., Lieutenant Anderson, formerly a medical student at Vanderbilt University, will be buried at Arlington Cemetery.

Lieutenant McConnell's remains will be escorted to the home of his father, Frank B. McConnell, 1304 Sixteenth Avenue, South, where funeral services will be held at 1.30 p. m. followed by special services at Vine Street Christian Church at 2 o'clock, conducted by the Rev. Roger Nooe. Burial will be in Mount Olivet Cemetery.

FLYERS PALLBEARERS

Members of the Aviation Corps in which Lieutenant McConnell had for years had his chief interest and in serving which he met his death will be with the body the entire route from Langley Field to the grave. For the detail of four men under the command of First Lieut. Alfred I. Puryear, of the Field Air Corps, which arrives here with the body Thursday morning, will be relieved by members of the One hundred and fifth Observation Squadron of the Tennessee National Guard, in which Lieutenant McConnell won his commission a year ago.

Officers of the local flying squadron will serve as pallbearers, including General Boyd, Maj. Nat H. Dye, Capt. Richard Gleaves, Capt. J. B. Hibbitts, Capt. Herbert Fox, Capt. Charles G. Blackard, Capt. Walter Williams, Maj. J. C. Bennett, jr., Lieuts. Sam E. Hartsfeld, James H. Douglas, John F. Outlaw, William V. Andrews, Louis H. Hibbitts, Bailey Rascoe, Lee Conway, David S. Lansden, Jesse Zellner, James P. McFarland, A. J. Robert, jr., William E. Barr, John McCall, Richard Barr, jr., Justin Potter, August S. Keim, Clarence L. Sanders, Richard Boutell, and Lewis T. Edwards.

MILITARY ESCORT

General Boyd has notified members of Company F of the One hundred and seventeenth Infantry to act as a military escort and to fire a salute at the grave. Members are requested to meet at the armory Thursday noon.

Dr. Roger T. Nooe, who is a member of the faculty of the Ovoca Christian Pastors' School, will return to-day in order to conduct the services.

At the gates of Mount Olivet the body will be transferred to an artillery caisson, while overhead members of the local flying squadron will circle their planes in a last sweeping courtesy to the former member of the squadron. The band of the One hundred and seventeenth Infantry will play the funeral march at the cemetery.

Lieutenant McConnell, who with Lieutenant Anderson had only recently joined the training school at Langley Field, is survived by his wife, Mrs. Mary Frances McConnell; a small daughter, Frances Dinwiddie McConnell; a sister, Miss Alta McConnell; three brothers, C. H. McConnell, C. W. McConnell, and J. J. McConnell, besides his father.

Two days before his death Lieutenant McConnell had piloted a plane in the convoy which welcomed Lindbergh to Washington. Born in Nashville 29 years ago, Lieutenant McConnell had spent almost his entire young manhood in military pursuits, having served with American troops on the Mexican border in 1916 and serving with the Marine Corps during the World War. After the war he became interested in aviation and went to Brooks Field, Tex., for his first training, later joining the local squadron.

Lieutenant Anderson, who was with him when the plane crashed 200 feet to burst into flames, was a student at Vanderbilt in 1924 and 1926, and a member of Beta Theta Pi. He had planned to take up his studies at the university this fall, but in recent months had given almost his entire time to aviation.

[From the Tennesseean, June 14]

MILITARY FUNERAL PLANNED HERE FOR LIEUTENANT MCCONNELL—LIEUTENANT ANDERSON, OTHER VICTIM, TO BE BURIED AT ARLINGTON—PROBE ORDERED—FLIERS HAD BEEN MEMBERS OF COLONEL LINDBERGH'S CONVOY

With War Department machinery at Washington moving to fix the cause of the crash of a plane at Langley Field, Va., yesterday afternoon, killing Lieuts. Frank G. McConnell and Cornelius Anderson, members of the One hundred and fifth Observation Squadron, Tennessee National Guard, arrangements were being made here for a military funeral for Lieutenant McConnell in pursuance to request from his family. Lieutenant Anderson's father, in La Centre, Ky., has requested that his son's body be buried in Arlington Cemetery.

Lieutenant McConnell's wife, from her home at 1304 Sixteenth Avenue south, last night communicated with Maj. J. C. Bennett, commander of the squadron, to make arrangements to have her husband's body brought back here for burial. While definite arrangements for the funeral are still to be made, it is believed the body will arrive here Wednesday or Thursday.

It is expected that Dr. Roger T. Nooe will conduct the funeral services. He is at Avoca, Tenn., but will return when notified of complete plans.

BURSTS INTO FLAMES

Lieutenant McConnell and Lieutenant Anderson, who were participating in the air maneuvers at Langley Field, came to their death when their plane went into a nose dive at a height of 200 feet and crashed to earth, bursting into flames.

Both flyers were incinerated before their bodies could be removed from the wreckage.

They went to Virginia June 4, and in addition to taking part in the maneuvers Lieutenant McConnell had been a member of the flying convoy which served as escort to Col. Charles Lindbergh on his arrival in Washington Saturday.

Yesterday afternoon, still participating in the maneuvers, they had just brought their plane into position for target practice in machine gun and bombing activities, when it was seen to plunge to the ground, the first serious accident to mark the maneuvers during the four years they have been held.

Lieutenant McConnell, a son of Frank McConnell, chief law agent of the Nashville, Chattanooga & St. Louis Railway, lived at 1304 Sixteenth Avenue South with his wife and child.

Interested in aviation in this section for the past three years, he had made a host of friends through his flying, done for the most part at Blackwood Field. Three weeks ago he was slightly injured when a plane he was piloting, owned by himself and Lieut. William Barr, fell.

He was born here July 6, 1896, and received his early education in the public schools, later attending Montgomery Bell Academy and Webb School, Bell Buckle, Tenn. In school he gained praise for his athletic prowess, specializing in baseball and football.

His first connection with the National Guard came during the trouble on the Mexican border, when he enlisted for service under General Pershing. Upon his return from the border he enlisted in the marines and went to Parris Island, S. C., returning here later as sergeant assigned to recruiting service. Later he was transferred to Quantico, Va., where he was commissioned a second lieutenant.

During the war he saw service in Cuba and Haiti, returning here at its termination to employment in the ticket office at the Union Station. He remained in that field until three years ago, when he became interested in aviation.

His early flying training was obtained at Brooks Field, Tex., where he was commissioned a second lieutenant. Later he was promoted to a first lieutenancy and placed in command of the One hundred and sixty-fifth Photo Section and officer in charge of Blackwood Field.

ANDERSON VANDERBILT MAN

Lieutenant Anderson, while a native of Kentucky, where he leaves his father, W. A. Anderson, has spent considerable time in the last few years here. In the years 1924 to 1926 he was a student at Vanderbilt Medical School and planned to resume his studies this fall.

Since leaving school a year ago he had devoted most of his time to flying and was chosen by Major Bennett to accompany McConnell because of his proficiency as an observer.

Major Bennett, upon learning of the deaths of the two men yesterday, paid high tribute to them and expressed profound sorrow at their loss. He recounted Lieutenant McConnell's enlistment with the squadron four years ago and spoke with pride of his gradual rise to his latest post. He lauded his skill as a pilot and his inherent flying ability.

LIEUTENANT M'CONNELL LAID TO REST AMID HUM OF PALS' PLANES—MOUNT OLIVET JAMMED AS HUNDREDS PAY TRIBUTE TO FLYER

While the roaring motors of his comrades' planes drummed a dirge, brother officers of the One hundred and twenty-fifth Observation Squadron Thursday afternoon said their final farewell to Lieut. Frank B. McConnell and lowered the flag-draped casket containing his body into a grave at Mount Olivet Cemetery.

As the casket came to a rest, a shadow streaked across the grave, the throb of a wide-open motor caused all to give a startled upward glance and a shower of roses fluttered down upon the grave while a plane zoomed up sharply from the very treetops. It was the squadron's final salute to a brave comrade who had flown on beyond the "ceiling" of mortal flights.

The roses fell slowly through the trees, coming to earth gently on and about the grave. The planes droned off in the distance. The first few shovels of earth fell on the casket. A rattle of musketry rang out. The painfully sweet notes of taps rose and fell over the silent crowd. That was all. A brave flier had gone to pitch his tent with the thousands of other courageous airmen whose wings are folded forever.

It was an impressive farewell that Nashville gave Lieutenant McConnell. One of the largest crowds ever seen at Mount Olivet Cemetery followed the funeral cortège to the grave, the line of cars extending back for more than a mile. Representatives of civil and military authority of both city and State were in the crowd.

Tiny cars crawled in the procession beside great limousines. It was as if the city had opened its heart to pour out a spontaneous tribute to a brave son whose wings were clipped short just as he had barely learned to use them.

The crowd grouped about the grave in a great circle. Still they came, old and young, men and women, with somber faces; children with eager eyes turned upward for a sight of the airships.

Long before the casket reached the grave, three planes, their silver wings glinting in the westering sun, hummed above the cemetery, banked and circled to hum back again. It was the aviators' last salute, like eagles wheeling above the rock where a stricken eagle lay.

A fourth airplane soon appeared from the east, flying lower than the others and weaving back and forth over the cemetery.

Then a band began beating out the measured cadence of a funeral march. The family of Lieutenant McConnell filed in as the crowd stood silent with bared heads.

"Attention," the military command fell flat on the hushed air.

Another command struck the silence. There was a click as rifles came to present arms and the officer in command lifted his saber in salute.

Their faces showing plainly the grief they felt at losing a loved and brave comrade, the officers of the squadron, headed by Maj. John C. Bennett, jr., commandant, trudged up the grass lane, bearing the casket of their fellow flier who had made his last flight.

The casket reached the grave. While the soldiers stood at attention Dr. Roger T. Nooe said a few brief words of benediction. None heard them. The roaring motors drowned all else. Then a quartet, in which was one of Lieutenant McConnell's flying comrades, sang, but none heard. Again the motors drowned all.

TAPS SOUNDED

The lone plane, sweeping back and forth over the trees, snarled as if in anger that the failure of another motor had cut down one of its erstwhile pilots.

Then the plane swept out of view. A moment later the motor snarled at an even higher pitch. A woman screamed, "O, I knew he'd fall," and out of the west, preceded by a racing shadow, the plane, but a few feet above the green treetops swept across the grave, and up toward the blue, red roses fluttering down in its wake.

Then the earth was filled in on the grave. It was piled high with flowers, including handsome tributes from the officers. The salute and taps was sounded and the crowd dispersed, while the planes sang on back to Blackwood Field, a few miles to the east.

Previous to the service at the grave, services scarcely less impressive had been held at the Vine Street Christian Church. Scores had been turned away from the church.

Piled high about the bier of Lieutenant McConnell was a blanket of floral tributes from family, friends, acquaintances, and organizations with which he had come in contact before his sacrifice to the progress of aviation.

Over the family monument was placed a miniature airplane, fashioned of brilliantly colored flowers—the tribute of Geny Bros. Beneath it were those of the One hundred and fifth Squadron, of which he was a member, the American Legion, the Nashville Police Department, his Masonic lodge, and scores of others.

Preceding the services at the grave, rites equally impressive were held in the Vine Street Church, where Dr. Rogers T. Nooe eulogized the flyer.

"I saw him once," he said, "in the sanctity of his home, amid the flush of a narrow escape. I saw him in fine manliness and modesty turn the heart of a child to an aged father and mother. I saw him as a loving comrade to his life's companion. I saw him as an adoring father of his little girl, and I marked him as a man and claimed him as a friend.

"Let us honor this man's memory with an appreciation of the courage that marked his life. Some are too cowardly and some too selfish to pay the price of progress, but this man was neither. God has given it to man to have dominion, and the conquest of the air rightly used is in the path of progress.

"Measured by the standard of loyal manhood, Lieutenant McConnell enlisted the admiration of every passing acquaintance and merited the love of all who knew him."

[From the Nashville Banner]

FLYER TO REST IN MOUNT OLIVET—LIEUT. FRANK BROWER MCCONNELL TO BE BURIED WITH MILITARY HONORS—PRIVATE CAR TENDERED—ARMY REGULATIONS MAY PREVENT BURIAL OF LIEUTENANT ANDERSON IN ARLINGTON—MESSAGES OF SYMPATHY

Borne to its last resting place upon a military caisson, while a convoy of planes manned by his former associates of the One hundred and fifth Observation Squadron flies overhead, the body of Lieut. Frank Brower McConnell, who met death Monday at Langley Field, Va., will be laid to rest Thursday afternoon in Mount Olivet Cemetery with military honors.

Lieutenant McConnell's remains under a military guard of honor since leaving Newport News Tuesday morning, will be met by the McConnell family in Louisville and returned to Nashville in the private car of James B. Hill, president of the Nashville, Chattanooga & St. Louis Railway. The body will arrive there at 5 p. m. to-day. The private car bearing the family and the remains will leave Louisville about midnight and arrive here Thursday morning at 8.40. Upon arrival here the escort will be relieved by members of the One hundred and fifth Observation Squadron.

MAY REST IN ARLINGTON

Lieut. Cornelius Anderson, who went to his death with Lieutenant McConnell when their plane crashed in flames, probably will be buried at Arlington Cemetery, at the request of his father, W. A. Anderson, of La Center, Ky., with military honors.

Although there has been a hitch in the plans to inter the aviator at Washington, Adjt. Gen. W. C. Boyd is in communication with Secretary of War Dwight F. Davis, Senators MCKELLAR and TYSON, and Representatives TAYLOR and REECE, and believes there will be no difficulty in having the burial there. The appeal to Tennessee Congressmen and the Secretary of War was made because General Boyd had been notified by the War Department that, due to Lieutenant Anderson's not being a member of the Regular Army, he would not be entitled to rest in Arlington Cemetery. General Boyd takes the stand that technically the aviator is eligible because he was in training at a Regular Army field and died in line of duty. He is expecting an answer from Secretary Davis to-day.

Funeral services will be held from the home of the aviator's father, A. F. McConnell, 1304 Sixteenth Avenue south, at 1.30 p. m., which will be followed by special services at the Vine Street Christian Church, conducted by Dr. Roger T. Nooe at 2.30 o'clock.

Officers of the One hundred and fifth Observation Squadron who will serve as pallbearers, including Gen. W. C. Boyd and Maj. Nat H. Dye, are Maj. J. C. Bennett, jr., commander; Capt. Richard Gleaves, Capt. J. B. Hibbitts, Capt. Herbert Fox, Capt. Charles G. Blackard, Capt. Walter Williams, and Lieuts. Sam E. Hartsfield, James H. Douglas, John F. Outlaw, William V. Andrews, Louis H. Hibbitts, Bailey Rascoe, Lee Conway, David S. Lansden, Jesse Zellner, James P. McFarland, A. J. Roberts, jr., William E. Barr, John McCall, Richard Barr, jr., Justin Potter, August S. Keim, Clarence L. Sanders, Richard Boutell, and Lewis T. Edwards.

Company F of the One hundred and seventeenth Infantry will form a guard of honor and fire a salute at the grave. Members of the company will meet at the armory Thursday at noon. The One hundred and seventeenth Infantry band will play the funeral march at the cemetery.

Lieutenant McConnell is survived by his father and mother; his wife, Mrs. Mary Frances McConnell; a small daughter, Frances Dinwiddie McConnell; a sister, Miss Alta McConnell; three brothers, C. H., C. W., and J. J. McConnell.

He served first with General Pershing on the Mexican border, saw service with the marines during the World War, and other expeditions, and finally, unable to put aside his country's call to service, enlisted in the One hundred and fifth Observation Squadron, where he rapidly rose to the office he was holding at the time of his death.

Each year a skilled team is picked from the various State aviation organizations and sent to the Regular Army flying fields for instruction in bombing, machine gunning, and observation. It was on this mission that the two young officers lost their lives at Langley Field. After participating in the Lindbergh reception up the Potomac River Saturday they were making their way to target practice Monday morning when the accident occurred.

Lieutenant Anderson, observer on the team, had temporarily given up a medical course at the Vanderbilt Medical School for the study of aviation. He had planned to return to the university this fall, where he

had been prominent in student activities. He was a member of the Beta Theta Pi fraternity.

MESSAGES OF SYMPATHY

Messages of heartfelt sympathy are coming from far and near to the bereaved family of Lieutenant McConnell, of which the following are typical:

"Deeply distressed and shocked to learn of the death of your splendid son, of whom I was very fond. My heartfelt sympathy goes out to you and all the family," wired Gus T. Fitzhugh to Mr. A. F. McConnell, father of the dead aviator.

From Maj. Gen. E. J. Williams, commanding officer of the Thirtieth Division, came the message to Adjt. Gen. W. C. Boyd:

"Just saw account deaths of Lieutenants McConnell and Anderson. Sincerest sympathy to their families and Hundred and fifth Squadron."

Lieut. W. V. Andrews, instructor of the local squadron, received the following wire from Major Brereton, commanding officer of the Second Bombardment Group, to Major Bennett and his fellow pilots for loss of Anderson and McConnell:

"Regret exceedingly to learn of the death of Lieutenants McConnell and Anderson, of the One hundred and fifth Observation Squadron. Please extend my deepest sympathy to the families of these National Guard officers."

"Overshadowing brilliant triumph Colonel Lindbergh New York came the sad news your irreparable loss. To die for a high, noble cause is Godlike and far better than to live a life of self-incloistered ease. May God be with you in this your hour of grief. All my sympathy."

"WILLIAM N. CARUTHERS,
"New York City."

"Mrs. Beesley and I were shocked to hear of your great sorrow, and our hearts are overflowing with sympathy for you and your family.

"JESSE C. BEESLEY,
"Murfreesboro, Tenn."

"You and your family have my deepest sympathy at his untimely taking.

"CHAS. B. ROGAN,
"Gallatin, Tenn."

Among other messages of condolence were wires from Lieut. M. D. McKnight, of the One hundred and fifth Squadron, who is on a leave of absence in west Tennessee; from Ben Hall, passenger agent at Jacksonville, Fla., James G. Ploden, Greenville, S. C.; Brown & Spurlock, Chattanooga, Tenn.; Judge Clem Jones, Athens, Tenn.; F. W. Kelsey, Chattanooga, Tenn.; W. B. Lamb, Fayetteville, Tenn.; Richard R. Gest, Chattanooga, Tenn.; Mr. and Mrs. C. C. Anderson and family, Huntsville, Ala.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAIUTE INDIAN RESERVATION LANDS

The bill (S. 5346) to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes, was considered as in the Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments, on page 2, line 4, after the word "be," insert the words "made at the same time and"; on page 2, line 4, before the word "said," insert the words "the Reclamation Bureau by"; and on page 1, line 5, after the word "necessary" and the comma, insert the words "reimbursable, but not to be collected during the time the title remains in the original allottee," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,096.01, or so much thereof as may be necessary, for paying the Truckee-Carson irrigation district, Fallon, Nev., in 60 semiannual installments, as equally as may be, the proportionate share of the benefits received by 4,877$\frac{1}{10}$ irrigable acres of Paiute Indian lands within the Newlands irrigation project, for necessary repairs to the Truckee Canal to restore said canal to its original capacity, said payments to be made at the same time and at the same rate per irrigable acre as that paid to the Reclamation Bureau by said district for other irrigable lands located therein.

The amendments were agreed to.

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

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

RELIEF OF CONTRACTORS AND SUBCONTRACTORS

The bill (S. 4520) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended, was announced as next in order.

Mr. KING. I would like to have an explanation of the bill.

Mr. EDGE. Mr. President, I move that House bill 13857, which has been passed by the House, be substituted for the Senate bill.

The PRESIDING OFFICER. The Senator from Utah asks that the Senator explain the bill.

Mr. EDGE. I can explain it in a few words. The contractors for the construction of the courthouse building in Washington, D. C., according to the specifications, presented their bids on the morning of April 7, 1917, as is required by other legislation of this character that has been favorably acted upon in the Senate. Later, April 6, the day before this bid went in, was made the date for a readjustment of bids because of war conditions.

The claim was referred to the Comptroller General, but under the strict interpretation of the law the Comptroller General held that it was impossible for him to order payment of the bill. On two separate occasions following that, as is shown by the report from the Secretary of the Treasury, again he was asked if, under the circumstances surrounding this bid, it did not come within the regulations provided, and upon the decision that it did not, this special bill was prepared. It has passed the House, and has been reported by the Senate committee, and I ask for the substitution in order that we may pass the House bill rather than the Senate bill.

Mr. KING. I can not yet understand what obligation the Government might assume on the passage of the bill.

Mr. EDGE. There is so much confusion in the Chamber it is almost impossible to hear the Senator's query.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. EDGE. Will the Senator propound his question again?

Mr. KING. I did not quite understand, because I could not hear, just what the obligation of the Government is, and what the bill will do toward imposing an obligation upon the Government.

Mr. EDGE. I will be glad to reexplain the bill. In inviting proposals for the construction of the courthouse building in Washington the Treasury Department proposed that the bids should be presented on April 7, 1917, at 12 o'clock noon. Agreeably to that proposal the Fuller Co., a company incorporated in New Jersey, presented their specifications and bid for the construction of certain portions of the building and were awarded the contract and carried out the work.

Later, as it had been decided in a number of cases where readjustment was permited because of unusual conditions surrounding the war times, it was provided that April 6, the day before the bid went in, which was the day of the declaration of war, as we all recall, would be the day fixed for the readjustment of all contracts signed on that day or previous to that day.

This company bid on constructing a Government building, meeting the requirements and specifications in the proposal as to hour and date, but lost out by approximately 18 or 20 hours. They went through with their contract completely, and now their claim can not be readjusted because of the fixing of this arbitrary date 15 or 18 hours earlier.

I repeat, the Treasury Department, believing in the absolute justice of the claim, referred it to the Comptroller General on three distinct occasions, asking the Comptroller General if under the circumstances of the bids these did not come within the specifications.

Mr. HARRIS. It only provides that the company shall file a claim with the Treasury Department.

Mr. EDGE. Yes; and I think the Senator from Georgia has in charge a similar bill which follows on the calendar.

Mr. HARRIS. Yes; I have.

Mr. FLETCHER. May I ask what is the amount of the claim contemplated?

Mr. EDGE. In answer to the Senator I will say there is no specific amount of claim. The bill merely provides for a reconsideration of the conditions prevailing at that time as to this company, just as has been done for dozens and dozens of other companies. It does not provide any specific amount. In other words, it gives them a day in court.

The PRESIDING OFFICER. The Senator from New Jersey has asked unanimous consent that the Senate proceed to the consideration of House bill 13857 in the place of Senate bill 4520.

There being no objection, the bill (H. R. 13857) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under

the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, was read twice by its title and considered as in Committee of the Whole.

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

The PRESIDING OFFICER. Senate bill 4520 will be indefinitely postponed.

The bill (H. R. 10957) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other bulidings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920, was considered as in Committee of the Whole.

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

ROBERT MICHAEL WHITE

The bill (H. R. 5952) for the relief of Robert Michael White was considered as in Committee of the Whole.

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

FORT WAYNE, IND.

The bill (H. R. 12409) to grant to the city of Fort Wayne, Ind., an easement over certain Government property was considered as in Committee of the Whole.

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

FEDERAL BUILDING AT DES MOINES, IOWA

The bill (H. R. 13957) to repeal certain provisions of law relating to the Federal building at Des Moines, Iowa, was considered as in Committee of the Whole.

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

SUBTREASURY BUILDING, NEW ORLEANS

The bill (H. R. 15468) to repeal the provisions of law authorizing the Secretary of the Treasury to acquire a site and building for the United States subtreasury and other governmental offices at New Orleans, La., was considered as in Committee of the Whole.

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

AMENDMENT OF PHILIPPINE CORPORATION LAW

The bill (S. 5738) to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928, was announced as next in order.

Mr. BAYARD. Mr. President, House bill 16881, Order of Business 1772, is a bill which passed the House February 13, 1929. It is identical with Senate bill 5738, and I ask that the House bill be substituted for the Senate bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16881) to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928.

Mr. KING. Mr. President, will the Senator explain this bill? When any measure affects the right of the Filipinos to govern themselves I want to make some inquiry about it.

Mr. BAYARD. I will be very glad to explain it. This bill was passed at the urgent request of the Philippine Congress in both branches, the leaders of the Filipinos in the Philippine Congress, and at the earnest request of the Governor General, Mr. Stimson.

The purpose of the bill is to modify and broaden the present corporation laws in the Philippines. We passed an act in Congress in 1902, and then we passed the organic act of 1916, which were both very stiff in regard to the granting of corporate powers to chartered companies in the Philippines. It has been found under the practice obtaining there that these restrictive provisions have militated against good commerce and the ability of the Filipinos and those interested in Philippine commerce to extend their operations.

At the request of the Filipinos themselves this matter was taken up, it was thrashed out with great care, not only by both branches of the Philippine Congress but by the Governor General, Mr. Stimson. It came to Congress after the unanimous action of both houses and with the Governor General's approval and recommendation.

I will state to the Senator that it in no way interferes with the right of the Federal Congress to change, alter, amend, or repeal the corporate charters granted thereunder.

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

The PRESIDENT pro tempore. Senate bill 5738 will be indefinitely postponed.

MUNICIPAL CENTER IN THE DISTRICT OF COLUMBIA

The bill (H. R. 16274) to provide for the establishment of a municipal center in the District of Columbia was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire by purchase, condemnation, or otherwise, all of squares Nos. 490, 491, 533, and reservation 10, in the District of Columbia, including buildings and other structures thereon, as a site for a municipal center, and to construct thereon necessary buildings to house municipal activities: *Provided*, That the Commissioners of the District of Columbia are hereby authorized to close and vacate such portions of streets and alleys as lie between or within such squares, as in the judgment of said commissioners may be necessary, and the portions of such streets and alleys so closed and vacated shall thereupon become parts of such site: *Provided further*, That if this property or any part thereof shall be condemned, the Commissioners of the District of Columbia shall be entitled to enter immediately into the possession of any such property for which an award shall have been made by paying the amount of such award into the registry of the Supreme Court of the District of Columbia.

SEC. 2. That there is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia, such sums as may be necessary to carry out the provisions of this act, including not to exceed $10,000 for the employment, by contract or otherwise, of architectural and other professional services, as approved by the commissioners and without reference to the classification act of 1923, as amended.

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

CHILDREN'S TUBERCULOSIS SANATORIUM

The bill (H. R. 13752) to provide for the construction of a children's tuberculosis sanatorium was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and to cause to be constructed thereon, in accordance with plans and specifications approved by such commissioners, suitable buildings and structures for use as a children's tuberculosis sanatorium, including necessary approaches and roadways, heating and ventilating apparatus, furniture, equipment, and accessories.

SEC. 2. There is authorized to be appropriated the sum of $500,000, or so much thereof as may be necessary, to carry out the provisions of this act, to be appropriated in like manner as other appropriations for the District of Columbia.

Mr. BINGHAM. Mr. President, I ask the chairman of the Committee on the District of Columbia whether he would be willing to have an amendment in line 1, striking out the words "and directed"? This would leave the bill as an authorization.

Mr. CAPPER. The Senator would limit it to an authorization?

Mr. BINGHAM. Yes.

Mr. CAPPER. I have no objection to the amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 4, strike out the words "and directed," so as to make the clause read: "That the Commissioners of the District of Columbia are authorized to acquire, by purchase, condemnation, or otherwise, a site," etc.

The amendment was agreed to.

Mr. KING. Mr. President, may I ask the Senator from Connecticut whether his committee has agreed to the expenditure of $500,000?

Mr. BINGHAM. I may say that that matter has never come before the Committee on Appropriations. All the Appropriations Committee did was to provide $1,500 for a study of the question so as to see what was the first thing to be done in the way of a hospital for tubercular children.

Mr. KING. I am familiar with that. I am wondering if it is wise to pass a bill now authorizing $500,000 before the report has been made.

Mr. BINGHAM. The Senator is a member of the District of Columbia Committee, and I am not.

Mr. KING I was unfortunately not able to be present when the bill was considered.

Mr. CAPPER. The committee went into the matter pretty carefully and it was given very careful consideration by the District Committee of the House. Mr. SIMMONS, who was in charge of the District appropriation bill in the House, was very much in favor of the bill as it is now reported to the Senate.

Mr. COPELAND. Mr. President, may I say, too, that the Appropriations Committee gave the matter very careful consideration and I hope the bill will pass.

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

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

The bill was read the third time and passed.

LAND FOR INDIAN COLONY, NEAR ELY, NEV.

The bill (S. 5245) to purchase land for the Indian colony near the city of Ely, Nev., and for other purposes, was considered as in Committee of the Whole. The bill had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

Be it enacted, etc., That there is hereby authorized to be appropriated the sum of $1,000 for the purchase of 10 acres of land now occupied as a camp by the Indian colony near the city of Ely, Nev., and $600 to connect the camp with the city water service by the purchase and installation of pipe and hydrants and the erection of a standpipe with necessary protective structure, the title to be held in the name of the United States Government, for the use of the Indians.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes."

DISABILITY COMPENSATION, DISTRICT OF COLUMBIA

The bill (S. 5676) to amend an act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes," approved May 17, 1928, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 2 of an act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes," approved May 17, 1928, be, and it is hereby, amended by adding at the end of said section the following:

"No person who is an officer or employee in the service of any war veterans' or fraternal organization or any lodge or social club not organized for profit, and whether incorporated or unincorporated shall be deemed to be an employee if his usual period of service shall not exceed four hours on one day at intervals of a week or more."

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

AMENDMENT OF DISTRICT OF COLUMBIA CODE

The bill (H. R. 12697) to amend the Code of Laws of the District of Columbia relating to interest and usury was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, that is an important measure. I would like to have an explanation of it.

The PRESIDENT pro tempore. The attention of the Senator from Wisconsin [Mr. BLAINE] is requested.

Mr. BLAINE. Mr. President, I want to explain to the Senator from Arkansas that the bill rewrites the present Code of the District of Columbia with reference to usury and adds that if any transaction involving $100,000 or more no corporation shall interpose a defense of a plea of usury in any action at low or in equity.

Mr. ROBINSON of Arkansas. Why is the right of a litigant to plead any defense that the law recognizes denied and the denial based on the question of the amount involved?

Mr. BLAINE. I will explain to the Senator the purpose of the amendment. There are a great many promotion schemes in the District of Columbia. Corporations are organized and in order to get money to carry out their promotion schemes they will contract to pay a very high rate of interest. They will sell their bonds to innocent parties, and then when the interest on the bonds falls due and a suit is brought they interpose the defense of usury. The promotion schemes ought not to be permitted and the purpose of the bill is to prevent a corporation, which enters into a contract providing for the payment of a higher rate of interest than is allowed by law, from having the right to interpose such usury contracts as a defense.

Mr. ROBINSON of Arkansas. I shall ask that the bill go over for the present.

The PRESIDENT pro tempore. The bill will be passed over.

ALONZO DURWARD ALLEN

The bill (H. R. 12793) for the relief of Alonzo Durward Allen was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

Be it enacted, etc., That the Director of the United States Veterans' Bureau is authorized and directed to determine, in accordance with the provisions of the World War veterans' act, 1924, as amended, the degree of disability, if any, of Alonzo Durward Allen, due to the aggravation of an attack of typhoid fever on or immediately after September 18, 1917, resulting from reporting at Memphis, Tenn., for enrollment on said date, and to pay him compensation at the same rate, in the same manner, and subject to the same conditions and limitations as if such disability were the result of such aggravation in the line of duty in the military service of the United States during the World War; except that no compensation shall be payable for any period prior to such determination.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I would like to offer an amendment to the bill. I move to amend it by striking out, on page 2, lines 21 and 22, the words "except that no compensation shall be payable for any period prior to such determination."

This young man is in such condition that he probably will not live a great while and if he is compelled to wait until after its determination before he gets any compensation, he may not live to get any at all. I hope the amendment may be adopted and the bill passed as amended.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Mississippi.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (S. 5752) authorizing the Uintah, Uncompahgre, and the White River Bands of the Ute Indians in Utah and Colorado and the Southern Ute and Ute Mountain Bands of Ute Indians in Utah, Colorado, and New Mexico to sue in the Court of Claims was announced as next in order.

Mr. KING. Mr. President, my understanding is that a similar bill passed some time ago and went to the House, and that they have passed it with some amendments. It has not been returned to the Senate yet. Therefore I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 16877) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands was announced as next in order.

Mr. WHEELER. Over.

Mr. BINGHAM. Mr. President, may I ask the Senator his reason for objecting? I may say to him that the bill had very full consideration in the House. The Philippine Delegate made a very eloquent speech in the House urging its passage.

Mr. WHEELER. I objected because I do not know anything about it. I want to look into it before I agree to its passage.

Mr. BINGHAM. Will the Senator be kind enough to ask any question he desires? The House has passed the bill twice.

Mr. WALSH of Massachusetts. Mr. President, the subject matter of this bill has been before the Committee to Audit and Control the Contingent Expenses of the Senate. While we think the bill has some merit, some of us are of the opinion that we are establishing a very dangerous precedent. If we send a board of visitors every two years to the Philippine Islands, we will then have to send a board of visitors to Alaska, to the Hawaiian Islands, to the Virgin Islands, and to Porto Rico, and we will have a continuous activity of this sort.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 5601) providing for an appropriation for the benefit of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, this matter is now pending before the Committee on Appropriations in connection with the deficiency appropriation bill, so I ask that the bill may be passed over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over.

MISSISSIPPI RIVER BRIDGE AT VICKSBURG, MISS.

The bill (H. R. 14472) to extend the time for completing the construction of a bridge across the Mississippi River at the city of Vicksburg, Miss., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Mississippi River at the city of Vicksburg, Miss., authorized by the act of Congress entitled "An act granting the consent of Congress to the Vicksburg Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Vicksburg," approved May 3, 1926, be, and the same is hereby, extended to May 3, 1930.

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

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

The PRESIDENT pro tempore. Without objection, all calendar numbers to and including 1783, being similar bridge bills, will be regarded as having passed through their various parliamentary stages and passed.

Mr. McKELLAR. Mr. President, just a moment. In so far as Calendar No. 1783 is concerned, the House has passed the identical bill, but it has not been reported here yet.

Mr. ROBINSON of Arkansas. Mr. President, I can not consent to that method of passing bills. I think it is absolutely imperative that the bills be called separately, so that the status of them may be checked, even though they are merely bridge bills.

The PRESIDENT pro tempore. The Chair suggested that they are identical bills.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. Has Calendar No. 1783 been passed?

The PRESIDENT pro tempore. At the request of the Senator from Arkansas the bills will be called separately and considered in their order. The Clerk will state the next bill.

OHIO RIVER BRIDGE, KENTUCKY AND OHIO

The bill (H. R. 15201) 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, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio, authorized to be built by the Maysville Bridge Co., its successors and assigns, by the act of Congress approved March 12, 1928, are hereby extended one and three years, respectively, from March 12, 1929.

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

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

OCMULGEE RIVER BRIDGE, FITZGERALD, GA.

The bill (H. R. 15714) to extend the times for commencing and completing the construction of a bridge across the Ocmulgee River at or near Fitzgerald, Ga., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ocmulgee River at or near Fitzgerald, Ga., authorized to be built by J. E. Turner, his heirs, legal representatives, or assigns, by the act of Congress approved April 4, 1928, are hereby extended one and three years, respectively, from April 4, 1929.

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

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

MISSOURI RIVER BRIDGE, RANDOLPH, MO.

The bill (H. R. 16026) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved May 24, 1928, to be built by the Kansas City Southern Railway Co. across the Missouri River at or near a point approximately 1 mile southeast of Randolph, Mo., are hereby extended one and three years, respectively, from May 24, 1929.

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

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

BILLS PASSED OVER

The bill (S. 5685) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tiptonville, Tenn., was announced as next in order.

Mr. McKELLAR. Mr. President, the House has passed an identical bill and I want to substitute that bill for the Senate bill and pass the House bill and indefinitely postpone the Senate bill. The House bill is H. R. 16959.

Mr. ROBINSON of Arkansas. Has it reached the Senate?

Mr. McKELLAR. It has not and the question is raised in my mind whether we can pass it before it reaches the Senate.

The PRESIDENT pro tempore. The Chair will hold that that may not be done.

Mr. McKELLAR. Then I will ask that the bill may go over for the present and later on in the day after the House bill has been reported to the Senate I will ask permission for its consideration.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4975) to create a commission on establishing a country summer White House was announced as next in order.

Mr. BLAINE. Over.

The PRESIDENT pro tempore. The bill will be passed over.

AMERICAN NATIONAL RED CROSS BUILDING, WASHINGTON, D. C.

The joint resolution (S. J. Res. 185) granting authority for the erection of a permanent building at the headquarters of the American National Red Cross, Washington, D. C., was considered in Committee of the Whole and was read, as follows:

Resolved, etc., That authority be, and is hereby, given to the American National Red Cross to erect upon square 172, in the city of Washington, D. C., in replacement of the temporary building or buildings erected on such lot under Public Resolution No. 3, Sixty-fifth Congress (S. J. Res. 61), a permanent building for the use of the American National Red Cross in connection with its work in cooperation with the Government of the United States: *Provided*, That the plans for any building which may be erected under this authority shall have been approved by the Commission of Fine Arts, and that such building shall be erected under the supervision of the Director of Public Buildings and Public Parks of the National Capital: *Provided further*, That the cost of the removal of the temporary building or buildings and the erection of the permanent building be borne by the American National Red Cross without expense to the United States: *And provided further*, That said permanent building shall remain the property of the United States Government but under the supervision of the Director of Public Buildings and Public Parks of the National Capital; and the American National Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of the said building without expense to the United States.

Mr. KING. Mr. President, may I ask whether the bill requires any expenditure by the Government or is the expense to be borne entirely by the Red Cross?

The PRESIDENT pro tempore. The attention of the Senator from Ohio is requested.

Mr. FESS. What is the Senator's question?

Mr. KING. Does the bill involve any expenditure by the Government, or is it to be borne by the Red Cross itself?

Mr. FESS. Under this bill the expense is to be paid in full by the Red Cross organization. However, my opinion is that the Government ought to cooperate and pay part of it, but the bill as it stands is without any cost to the Government. A House bill relating to the same subject includes some cost to the Government.

Mr. ROBINSON of Arkansas. The Senate joint resolution under consideration also provides that at all times the Red Cross shall be charged with the upkeep and maintenance of the building.

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

WILLIAM E. ADAMS

The bill (H. R. 1993) to correct the naval record of William E. Adams was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That William E. Adams shall hereafter be held and considered to have been honorably discharged from service in the United States Navy as of the 20th day of October, 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

BILL PASSED OVER

The bill (H. R. 5758) amending the act approved May 4, 1926, providing for the construction and maintenance of bathing pools

or beaches in the District of Columbia was announced as next in order.

Mr. BAYARD. Mr. President, I would like an explanation of the bill.

Mr. BRATTON. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

POLICE AND FIRE DEPARTMENTS, DISTRICT OF COLUMBIA

The bill (S. 5512) to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That for the official recognition of outstanding acts in the line of duty by the members of the police and fire departments of the District of Columbia there shall be awarded annually one gold medal and one silver medal, appropriately inscribed, to those two members of each department who have by outstanding or conspicuous services earned such awards.

SEC. 2. The awards shall be made annually by a committee of five persons, consisting of the head of each department and three civilians appointed by the commissioners of said District; all to serve without compensation on such committee of award.

SEC. 3. When promotions are being made in the departments the holders of such medals shall be preferred to other members of said departments, other things being equal.

SEC. 4. To provide for the cost of such medals there is hereby authorized to be appropriated annually such sum as the Commissioners of the District of Columbia may deem necessary for the purpose.

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

PUBLIC LANDS IN NEVADA

The bill (S. 5379) to authorize the disposition of certain public lands in the State of Nevada was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Western Pacific Railroad Co., a California corporation, be permitted to purchase from the United States, at the price of $2.50 per acre, the south half of the southwest quarter of section 28, township 34 north, range 66 east, Mount Diablo meridian, in Elko County, Nev., containing 80 acres; and that patent shall, after such purchase, issue to said company therefor: *Provided*, That the Western Pacific Railroad Co. file in the district land office at Carson City, Nev., an application for the said lands, and tender payment therefor at the price fixed herein within 60 days of the passage of this act: *Provided further*, That patent issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the land so patented, except sand and gravel, together with the right to prospect for, mine, and remove the same.

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

RESOLUTION PASSED OVER

The resolution (S. Res. 320) for the adoption of the report of the Committee on Public Lands and Surveys on the investigation conducted under Senate Resolution 202 was announced as next in order.

Mr. REED of Pennsylvania. Over.

The PRESIDENT pro tempore. The resolution will be passed over.

STATE LIVESTOCK QUARANTINE

The joint resolution (S. J. Res. 202) for the amendment of the act of February 2, 1903, and March 3, 1905, as amended, to allow the States to quarantine against the shipment thereto, therein, or through of livestock, including poultry, from a State or Territory or portion thereof where a livestock or poultry disease is found to exist which is not covered by regulatory action of the Department of Agriculture, and for other purposes, was considered as in Committe of the Whole.

The joint resolution had been reported from the Committee on Agriculture and Forestry with an amendment, on page 3, line 4, to strike out the numerals "531" and insert the numerals "831," so as to make the joint resolution read:

Resolved, etc., That the act of February 2, 1903 (32 U. S. Stat. L. 792), as amended by the act of February 7, 1928 (45 U. S. Stat. L. 59), be, and the same is hereby, further amended by adding at the end of section 2 thereof the following:

"*Provided*, That until the Secretary of Agriculture shall have made regulations and taken measures to prevent the introduction or dissemination of the contagion of a contagious, infectious, or communicable disease of livestock, including live poultry, from one State or Territory or the District of Columbia to another, nothing in said act shall prevent or shall be construed to prevent any State, Territory, or District from enacting, promulgating, and enforcing any quarantine, prohibiting or restricting the transportation of any livestock, including live poultry, into or through such State, Territory, District, or portion thereof, from any other State, Terriotry, District, or portion thereof, when it shall be found, by the State, Territory, or District promulgating or enacting the same, that such contagious, infectious, or communicable disease exists in such other State, Territory, District, or portion thereof: *Provided further*, That the Secretary of Agriculture is hereby authorized, whenever he deems such action advisable and necessary to carry out the purposes of this act, as amended, to cooperate with any State, Territory, or District, in connection with any quarantine, enacted or promulgated by such State, Territory, or District, as specified in the preceding proviso."

SEC. 2. That the act of March 3, 1905 (32 U. S. Stat. L. 1264), as amended by the acts of March 4, 1913 (37 U. S. Stat. L. 831), and February 7, 1928 (45 U. S. Stat. L. 59), be, and the same is hereby, further amended by adding at the end of section 1 thereof the following:

"*Provided*, That until the Secretary of Agriculture shall have determined the fact that cattle or other livestock, including poultry, are affected with a contagious, infectious, or communicable disease, and has quarantined a State, Territory, or the District of Columbia, or a portion thereof, with reference to such disease, as provided in this act, as amended, nothing in said act shall prevent or shall be construed to prevent any State, Territory, or District from enacting, promulgating, and enforcing any quarantine, prohibiting or restricting the transportation of any livestock, including live poultry, into or through such State, Territory, District, or portion thereof, from any other State, Territory, District, or portion thereof, when it shall be found, by the State, Territory, or Distict promulgating or enacting the same, that such contagious, infectious, or communicable disease exists in such other State, Territory, District, or portion thereof: *Provided further*, That the Secretary of Agriculture is hereby authorized, whenever he deems such action advisable and necessary to carry out the purpose of this act, as amended, to cooperate with any State, Territory, or District, in connection with any quarantine, enacted or promulgated by such State, Territory, or District, as specified in the preceding proviso."

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Montana explain the purposes of the joint resolution and the changes in the existing law?

Mr. WALSH of Montana. Mr. President, under existing law quarantines against cattle and poultry can be established exclusively by the Department of Agriculture. It was intended to give to the States the authority to establish quarantines wherever the United States has not established one. We enacted a similar law two years ago in relation to plant quarantine, which has proven exceedingly beneficial in operation. The bill is approved by the Department of Agriculture and is regarded as very necessary for the preservation and prosperity of the livestock industry.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WALSH of Montana. I ask permission to have printed in the RECORD in connection with my remarks just made a letter received by me from W. J. Butler, State veterinary surgeon of Montana.

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

STATE OF MONTANA LIVESTOCK SANITARY BOARD,
Helena, December 14, 1928.

Hon. T. J. WALSH,
Washington, D. C.

DEAR SENATOR WALSH: I was chairman of the United States Live Stock Sanitary Association committee on uniform regulations this year. This association, as you know, is an association of regulatory officials interested in livestock sanitary work in various States of the United States, the Federal Government, and the Dominion of Canada.

One recommendation which was made reads as follows:

"Your committee again calls your attention to the decision of the Supreme Court of the United States, No. 187, October term, 1925. This decision, in effect, declared that State quarantines were not operative on interstate shipments when specific authority to govern the spread of disease has been delegated to the Federal Government.

"We recommend that this association authorizes its legislative committee to have drafted and presented to Congress an amendment to the existing Federal laws which will give States the right to establish and enforce quarantine for animal and poultry diseases, on shipments of livestock or poultry consigned to or passing through their respective States."

I do not know just how to go about securing an amendment to the Federal laws, and I am appealing to you for assistance. This amendment, I believe, would require similar action to that which you took for the Department of Agriculture in securing for them Federal recognition for plant quarantine.

We understand that the Supreme Court of Pennsylvania upheld the Pennsylvania Bureau of Animal Industry quarantine restricting the

movement of cattle into or passing through the State of Pennsylvania during the last foot-and-mouth disease outbreak. We also understand that the United States Department of Agriculture regulation provides for the recognition of State quarantines; but I believe we would be in a much safer position if Congress amended the present law so as to give the States the right to establish and enforce quarantines on the interstate shipment of livestock or poultry consigned to or passing through their respective States.

Yours very truly,

W. J. BUTLER,
State Veterinary Surgeon.

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

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

ANNUAL LEAVE OF DEPARTMENT OF AGRICULTURE EMPLOYEES

The bill (S. 5307) equalizing annual leave of employees of the Department of Agriculture stationed outside the continental limits of the United States was considered as in Committee of the Whole. The bill had been reported from the Committee on Agriculture and Forestry with an amendment, in line 4, after the word "of," to insert the words "the act of June 30, 1914 (U. S. C. 58, sec. 535), and," so as to make the bill read:

Be it enacted, etc., That the provisions of the act of June 30, 1914 (U. S. C. 58, sec. 535), and the act of July 24, 1919 (U. S. C. 58, sec. 536), with respect to annual and cumulative leave for certain employees of the Department of Agriculture stationed in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands shall hereafter apply to all employees of said department assigned to permanent duty at any place outside the continental limits of the United States.

The amendment was agreed to.

Mr. ROBINSON of Arkansas. Mr. President, I would like to have the Senator from Arizona [Mr. HAYDEN], who introduced the bill, or the Senator from Oregon [Mr. MCNARY], who reported it, explain it.

Mr. HAYDEN. Mr. President, as the report indicates, the bill affects about 130 employees of the Department of Agriculture out of a total of over 16,000. It applies only to those employees of the Department of Agriculture outside of continental United States, some of whom at this time have the privilege of 30 days' annual leave which may be accumulated for four years, whereas others have no such privilege and in fact have only 15 days' leave. The matter came to my attention when an employee of the Department of Agriculture in Haiti and another one in Panama told me that they were entitled to but 15 days' annual leave, and that it took them a week to come to the United States and a week to go back, so that their leave would all be used up in travel. The bill is strongly recommended by the Secretary of Agriculture and others and is intended to place all these employees on an equal basis.

The bill is strongly recommended by the Secretary of Agriculture. It affects comparatively few persons, and merely proposes to place them all upon an equality.

Mr. ROBINSON of Arkansas. I have no objection to the consideration of the bill.

Mr. SMOOT. Mr. President, I want to ask the Senator a question. Have not the employees in the Department of Agriculture who are stationed outside of the continental limits of the United States the same leave of absence as have the employees of the other departments?

Mr. HAYDEN. No; there are 37 of them in number who have 30 days' annual leave, which may be accumulated for four years, but there are 135 of them who do not have that privilege, and I am trying to place all upon an equality.

Mr. SMOOT. That is in only one department, however. How about the other departments of the Government?

Mr. HAYDEN. In the War Department, the State Department, and other departments employees may accumulate their leave.

Mr. SMOOT. They have 30 days' leave?

Mr. HAYDEN. Yes.

Mr. SMOOT. Then I have no objection if the employees in the other departments have 30 days' leave, but if they have not I certainly should object to the employees of the Agricultural Department having any advantage.

Mr. HAYDEN. As I understand, the accumulated leave is allowed in the other departments of the Government.

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

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

CRATER NATIONAL FOREST

The bill (S. 5529) to add certain lands to the Crater National Forest was announced as next in order.

Mr. MCNARY. Mr. President, I ask that that bill go over for the present.

The PRESIDING OFFICER. The bill will be passed over.

LEVEE AND DRAINAGE DISTRICTS IN ARKANSAS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10657) to authorize the assessment of levee, road, drainage, and other improvement district benefits against certain lands, and for other purposes, which was read, as follows:

Be it enacted, etc., That the consent of the Government of the United States to the levy of special assessments, based upon benefits estimated to be derived from local levee and drainage districts within the boundaries of the St. Francis Levee district of Arkansas, within the State of Arkansas, is hereby expressed and given. The laws of the State of Arkansas levying said special assessments and providing for the enforcement of such levy and the establishment of a lien and of all remedies pertaining thereto are expressly made applicable to the lands described in this act: *Provided*, That no levy, assessment, or collection of any special assessment shall attach or be applicable to any lands of the United States, nor permit the collection of any special assessment for such tax from the United States Government, nor from any entryman or person as to any such lands until the date when the entryman or purchaser shall become entitled to a patent from the United States for such land. Such levy, special assessment, or tax shall not operate against the Government of the United States, and shall only operate and take effect and be in force when and if the equitable title to any particular tract of land involved shall have passed from the United States to such entryman or purchaser, and such entryman or purchaser shall have become entitled to patent therefor.

SEC. 2. That all the acts, levies, assessments, and proceedings in substantial accordance with the laws of Arkansas, and all levies and assessments of benefits against lands, the equitable title to which had passed as provided in section 1 of this act, are hereby cured and confirmed, and the same shall not be set aside, vacated, or annulled by any court for want of jurisdiction or any irregularity in the proceedings based upon the want of authority now conferred by this act.

SEC. 3. That this act shall be available to the St. Francis Levee district of Arkansas, and to any drainage district within the boundaries of the St. Francis Levee district heretofore or hereafter created, as expressing the consent of the Government to the special assessments fixed substantially in accordance with the laws of Arkansas and this act.

SEC. 4. That in all cases where there has been a foreclosure of the liens of any improvement district and said lands have been purchased by the said districts, it shall be the duty of the Commissioner of the General Land Office, upon proof of such sale and purchase and upon the payment of the sum of $5 per acre, together with the usual fees and commissions charged entry of lands under the homestead laws, where such payment has not heretofore been made, to execute to said district or districts a patent to said lands; and in all cases of future foreclosures and purchases by said districts it shall be the duty of the Commissioner of the General Land Office, upon the payment of a like sum and proof of the foreclosure and purchase by the said districts, to execute to them patents for the lands so purchased upon the expiration of the period of redemption in the areas in Mississippi and Poinsett Counties, described in the act of January 17, 1920.

SEC. 5. If any portion of this act be held unconstitutional, such decision shall not affect the remaining provisions of the act.

SEC. 6. This act shall repeal all laws and parts of laws in conflict herewith and shall take effect forthwith.

Mr. KING. Mr. President, I should like to ask the Senator from Arkansas to favor us with an explanation of that bill.

Mr. CARAWAY. Mr. President, I hope I may do so quite briefly. Drainage and levee districts were established in my State to reclaim lands from overflows and from accumulated surplus waters. All of the cost of those drainage and levee districts is paid by the landowners who are benefited by the drainage work. A decision of the Supreme Court exempted out about 20,000 acres of such land because the title was in the Government at the time the districts were formed, although the landowners petitioned for the improvement. As everybody could not be made to pay, others similiarly situated quit. We passed a measure through the Senate intended to accomplish the same purpose as this bill, but some lawyer down there thought there was a difference between a bill and a Senate joint resolution. So we propose to pass this new measure.

Mr. KING. There is no obligation imposed on the Government?

Mr. CARAWAY. No.

Mr. ROBINSON of Arkansas. It is merely proposed to permit land formerly owned by the Government and passing to private ownership to bear its share of burdens?

Mr. CARAWAY. Yes.

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

CONVEYANCES BY CENTRAL PACIFIC AND SOUTHERN PACIFIC RAILWAYS

The Senate, as in the Committee of the Whole, proceeded to consider the bill (H. R. 14457) validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., which was read, as follows:

Be it enacted, etc., That the conveyances hereinafter particularly described and heretofore executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain lands or interests therein, in and in the vicinity of the city of Lodi, and near the station of Acampo, all in the county of San Joaquin, State of California, and forming a part of the right of way of said Central Pacific Railway Co., granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes" (vol. 12, U. S. Stat. L. 489), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862" (vol. 13, U. S. Stat. L. 356), are hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyances by the corporations making the same under absolute fee simple title.

The conveyances, recorded in office of county recorder of San Joaquin County, Calif., in book of official records, which are hereby legalized, validated, and confirmed, are as follows:

1. September 6, 1928; Mary A. Larson; volume 247, page 211.
2. September 6, 1928; Pacific Fruit Exchange, a corporation; volume 247, page 213.
3. September 6, 1928; San Joaquin County Table Grape Growers' Association, a corporation; volume 247, page 214.
4. October 3, 1928; San Joaquin County Almond Growers' Association, a corporation; volume 247, page 260.
5. October 3, 1928; National Fruit Products Co., a corporation; volume 247, page 261.
6. October 3, 1928; Beckman, Welch & Thompson Co., a corporation; volume 248, page 480.
7. September 6, 1928; C. C. Bidwell; volume 249, page 371.
8. September 6, 1928; Bert Rinfret; volume 249, page 373.
9. August 28, 1928; Joseph P. Gilbeau, also known as J. P. Gilbeau; volume 249, page 374.
10. September 6, 1928; Annie T. Kels; volume 249, page 376.
11. August 28, 1928; Theodore H. Beckman; volume 249, page 377.
12. September 6, 1928; J. Henry Pope; volume 249, page 379.
13. September 6, 1928; Frank H. Buck Co., a corporation; volume 249, page 380.
14. September 6, 1928; Silas W. Hopkins; volume 250, page 302.
15. September 6, 1928; Emma Corbin; volume 250, page 303.
16. September 6, 1928; Vineyard Farming Co., a corporation; volume 250, page 304.
17. September 6, 1928; county of San Joaquin, a political subdivision of the State of California; volume 250, page 306.
18. October 3, 1928; The Lodi Canning Co., a corporation; volume 250, page 354.
19. October 3, 1928; John C. Bewley; volume 250, page 356.
20. September 6, 1928; Lawrence Holding Co., a corporation; volume 255, page 216.
21. September 6, 1928; Theodore H. Beckman; volume 255, page 218.
22. September 6, 1928; Pacific Gas & Electric Co., a corporation; volume 256, page 173.
23. September 6, 1928; Union Ice Co., a corporation; volume 256, page 174.
24. September 6, 1928; Adolphus Eddlemon; volume 256, page 175.
25. September 6, 1928; Nellie R. Henderson and Georgia H. Garner; volume 256, page 177.
26. September 6, 1928; Sarah J. Graham; volume 256, page 178.
27. September 6, 1928; C. R. Van Bushkirk; volume 256, page 179.
28. September 6, 1928; George Le Feber; volume 256, page 181.
29. September 6, 1928; City of Lodi, a municipal corporation of the State of California; volume 256, page 182.
30. September 6, 1928; George Kaiser and Mattie M. Stein; volume 256, page 184.
31. September 12, 1928; California Trust Co., a corporation; volume 256, page 192.
32. October 3, 1928; Henry C. Beckman, also known as H. C. Beckman; volume 256, page 248.
33. October 6, 1928; Lee Jones; volume 256, page 262.
34. September 6, 1928; George W. Ashley; volume 257, page 241.
35. September 6, 1928; John N. Ballantyne and John C. Bewley; volume 257, page 243.
36. September 6, 1928; Lodi Fruit Growers Association, a corporation; volume 257, page 244.
37. August 28, 1928; A. V. Friedberger, Leo Friedberger, Maurice Friedberger, Ray Friedberger, and William Friedberger; volume 257, page 246.
38. September 6, 1928; Security Building and Loan Association, a corporation; volume 257, page 247.
39. September 6, 1928; Herschel T. Mason; volume 257, page 249.
40. October 3, 1928; Earl Fruit Co., a corporation; volume 257, page 320.
41. October 3, 1928; the Citizens' National Bank of Lodi, a corporation; volume 262, page 16.
42. October 6, 1928; Lodi Storage and Milling Co., a corporation; volume 262, page 32.

Provided, That such legalization, validation, and confirmation shall not in any instance diminish said right of way to a width less than 50 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established and maintained: *And provided further*, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co. and its lessee, Southern Pacific Co.: *And provided further*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. ROBINSON of Arkansas. Mr. President, I should like to have a statement of the purpose of this bill.

Mr. JOHNSON. Mr. President, in the vicinity of the little city of Lodi and the city of Acampo there are certain lands that have been held by various individuals and their predecessors for 30, 40, and 50 years, respectively. The Central Pacific Railroad was one of the land-grant railroads, and to it was granted the right of way for its railroad tracks in that vicinity. The individuals who come here seeking relief, in asking that their title be validated, are those who acquired from the United States Government and have been in possession for the periods of time I have indicated. Their title never had been questioned, for the right of way never was utilized by the railroad company until in 1925 the Southern Pacific Co. began an action to recover certain lands embraced within streets in the city of Stockton. Then the title companies, for the first time, questioned the title of individuals at Lodi and others near Acampo on the right of way of the Central Pacific. Everybody is agreed upon the measure, so far as that is concerned, including the railroad company, the Government, and the landowners. The desire is simply to settle the one technical question of title that has been raised by one of the title companies.

Mr. WALSH of Montana. Is this land within the exterior limits of the right of way?

Mr. JOHNSON. Yes, sir.

Mr. WALSH of Montana. Am I to understand that the bill provides that the consent of the railroad company be given?

Mr. JOHNSON. Yes, sir; and they have already executed quitclaim deeds to it.

Mr. WALSH of Montana. This is for the purpose of quieting the title of their grantees?

Mr. JOHNSON. Yes, sir.

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

LASSEN VOLCANIC NATIONAL PARK IN CALIFORNIA

The bill (H. R. 11406) to consolidate or acquire alienated lands in Lassen Volcanic National Park, in the State of California, by exchange, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That, when the public interests will be benefited thereby, the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept, on behalf of the United States, title to any land within exterior boundaries of Lassen Volcanic National Park which, in the opinion of the Director of the National Park Service, are chiefly valuable for forest or recreational and national park purposes, and in exchange therefor may patent not to exceed an equal value of such national-park land within the exterior boundaries of said national park; or the Secretary of the Interior may authorize the grantor to cut and remove an equal value of timber in exchange therefor from certain designated areas within the exterior boundaries of said national park: *Provided*, That such timber shall be cut and removed from such designated area in a manner that will not injure the national park for recreational purposes and under such forestry regulations as shall be stipulated, the values in each case to be determined by the Secretary of the Interior. Lands conveyed to the United States under this act shall, upon acceptance of title, become a part of Lassen Volcanic National Park.

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

MUNICIPAL BATHING POOLS, DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I ask unanimous consent to revert to Order of Business 1778, being House bill 5758, which was passed over a few moments ago during my absence from the floor. The bill authorizes the construction of bathing pools in the District of Columbia and provides a program which is now desired by all the city authorities. Three years ago Congress authorized the construction of two large bathing pools. Quite a controversy arose; that plan was abandoned, and this plan, which has the approval of all groups at interest and of the civic associations and the District authorities, was substituted for that plan. Already two small pools have been constructed, and there has been no objection from anyone. This bill contemplates some other smaller pools.

Mr. ROBINSON of Arkansas. May I ask the Senator where the pools are to be located?

Mr. CAPPER. That is left, according to the bill, to the Director of Public Buildings and Public Parks of the National Capital, subject to the approval of the National Park and Planning Commission, and after consultation with the Commission of Fine Arts. The bill does not designate the location.

Mr. KING. Will the Senator explain whether the funds for this purpose are chargeable in part to the District or are entirely to be paid by the Government of the United States?

Mr. CAPPER. The money for the purpose is to come out of appropriations for the expenses of the government of the District of Columbia.

Mr. KING. I did not understand the Senator.

Mr. CAPPER. The Senator will find on page 2, lines 12, 13, and 14, that—

the appropriation of the sums necessary for the purposes named is hereby authorized to be paid in like manner as other appropriations for the expenses of the government of the District of Columbia.

The PRESIDENT pro tempore. Is there objection to the request preferred by the Senator from Kansas, namely, that the Senate recur to Order of Business No. 1788?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5758) amending the act approved May 4, 1926, providing for the construction and maintenance of bathing pools or beaches in the District of Columbia, which was read, as follows:

Be it enacted, etc., That the act entitled "An act for the establishment of artificial bathing pools or beaches in the District of Columbia," approved May 4, 1926 (44 Stat. L. 394), is hereby amended and reenacted so as to read as follows:

SECTION 1. That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized and directed to locate and construct in the District of Columbia, subject to the approval of the National Capital Park and Planning Commission, and after consultation with the Commission of Fine Arts, as appropriations shall be provided therefor, artificial bathing pools or beaches, not exceeding six in number, with suitable buildings, shower baths, lockers, provisions for the use of filtered water, purification of the water, and all things necessary for the proper conduct of such pools or beaches, and to conduct and maintain the same. The cost of construction of any of these pools or beaches, with buildings and equipment, shall not exceed $150,000 each, and the appropriation of the sums necessary for the purposes named is hereby authorized to be paid in like manner as other appropriations for the expenses of the government of the District of Columbia.

SEC. 2. The Director of Public Buildings and Public Parks of the National Capital may, in the interest of economy and good administration, with the consent of the Commissioners of the District of Columbia, transfer for such period as he shall determine, to said commissioners the possession, control, and maintenance of any of said bathing pools or beaches. Otherwise they shall be operated and maintained by the said Director of Public Buildings and Public Parks, and in either case the official conducting any bathing pool or beach is hereby authorized to charge and collect a reasonable fee for the use and enjoyment of such pool or beach, such fees to be paid weekly to the collector of taxes of the District of Columbia for deposit in the Treasury to the credit of the District of Columbia.

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

COUNTRY SUMMER WHITE HOUSE

Mr. BLAINE. Mr. President, I ask unanimous consent to revert to Order of Business 1784, being the bill (S. 4975) to create a commission on establishing a country summer White House.

The PRESIDENT pro tempore. Is there objection?

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

Mr. FESS. Mr. President, will the Senator withhold objection for just a moment?

Mr. BLEASE. I am opposed to the bill. It will simply take up the time of the Senate, and I object.

Mr. FESS. Will the Senator withhold his objection for just a moment?

Mr. BLEASE. I withhold it if the Senator wants to talk, but, as I say, it will merely take up time.

Mr. FESS. Mr. President, there has been considerable contention about the proposal to provide for a summer White House. The one seeming rational position to take would be to establish a commission made up of the Vice President, the Speaker of the House, the chairman of the respective Committees on Public Buildings and Grounds of the House and Senate; the ranking member of those committees in each body, and the Architect of the Capitol, together with the chairman of the Park and Planning Commission.

There has been some doubt as to the wisdom of the proposal which has been made, accompanied by a recommendation which is here before the Senate and also before the House, that a certain amount be appropriated to put in shape buildings at a certain location now owned by the Government. Consequently, it seems to me that the proper thing to do would be to create such a commission as that provided for in this bill to which such proposals may be submitted. If it then appears wise that action be taken the commission can so report. On the other hand, if the commission deems it unwise——

Mr. McKELLAR. Mr. President——

Mr. WALSH of Montana. I ask for the regular order.

The PRESIDING OFFICER. Unanimous consent is refused and the bill will go over. The clerk will report the next bill on the calendar.

The bill (H. R. 15651) for the relief of Leonidas L. Cochran was announced as next in order.

Mr. FESS. Mr. President, I will speak on that bill.

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. FESS. The commission would be the best judge of the wisdom of the recommendation coming from the Budget Bureau for an appropriation of $48,000 to put in shape a property already owned by the Government.

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

Mr. FESS. I will yield in a moment. If, on the other hand, it should appear unwise to establish either a summer White House at some other location or to improve the grounds already owned by the Government, the commission would be the best judge of that. I am attempting to lodge this question with a commission whose judgment would be wise and could guide us in the course which should be pursued. That is why I have provided in this bill for a permanent commission to be created. I now yield to the Senator from Pennsylvania.

Mr. GLASS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. GLASS. Has the bill been objected to?

The PRESIDENT pro tempore. The bill has been objected to and passed over, but the Senator from Ohio was recognized to speak upon Order of Business No. 1800, which is now before the Senate.

Mr. GLASS. But he is not doing that.

Mr. FESS. I am exercising my rights under the rules of the Senate.

The PRESIDENT pro tempore. The Chair believes the Senator from Ohio is still within his rights under the rules.

Mr. REED of Pennsylvania. I saw it reported in the newspapers that a bill was pending here to put in order as a summer White House Government property at a place called Mount Weather, Va.

Mr. FESS. Yes.

Mr. REED of Pennsylvania. Is there such a bill on the calendar?

Mr. FESS. There is no such bill on the calendar. Such a bill has been introduced, but it has not been acted upon. Not only that, but there is a recommendation that comes from the Budget Bureau that $48,000 be appropriated for that purpose. I am not certain that it ought to be done.

Mr. REED of Pennsylvania. The pictures of Mount Weather as shown in the newspapers indicate that it has about as much charm as a reform school.

Mr. FESS. That is my impression.

Mr. REED of Pennsylvania. There would appear to be no trees there.

Mr. FESS. I agree with the Senator. My hope was that we could place this matter in the hands of a commission whose judgment could be relied upon.

Mr. DILL and Mr. McKELLAR addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator yield?

Mr. FESS. I yield first to the Senator from Washington.

Mr. DILL. Does not the Senator think that the same kind of a commission might well give consideration to the question of a home for the Vice President?

Mr. FESS. That is another important feature which I should like to see the Senate consider.

Mr. McKELLAR. Mr. President, does not the Senator think that the President ought to be permitted to select his own place for having a summer vacation?

Mr. FESS. I think that, of course, goes without saying.

Mr. McKELLAR. I think he should.

Mr. COPELAND. Mr. President, I am hoping that there will be a Democratic President some time, and I should like to see a summer White House where he could be made comfortable. Pending that time, I think we should do our part to make the President of the United States comfortable during the heated season in this city.

I am usually out of harmony with the Senator from Ohio, but this time I think he is right, and I hope his project will succeed.

The PRESIDENT pro tempore. It can not to-day, in view of the objection raised by the Senator from South Carolina.

LEONIDAS L. COCHRAN

The PRESIDENT pro tempore. Is there objection to the consideration of House bill 15651?

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

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

MISSOULA NATIONAL FOREST, MONT.

The bill (H. R. 14148) to amend the act of May 17, 1928, entitled "An act to add certain lands to the Missoula National Forest, Mont.," was considered as in Committee of the Whole.

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

BILLS PASSED OVER

The bill (H. R. 14761) for the relief of Clarence Stevens was announced as next in order.

Mr. WALSH of Montana. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 14981) for the relief of Josephine Laforge (Sage Woman) was announced as next in order.

Mr. WALSH of Montana. I ask to have that bill also go over.

The PRESIDENT pro tempore. The bill will be passed over.

WILLIAM W. HEAD, DECEASED

The bill (H. R. 15700) for the relief of the heirs of William W. Head, deceased, was considered as in Committee of the Whole.

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

EXCHANGE OF LANDS IN MONTANA

The bill (H. R. 15724) to authorize the Secretary of the Interior to exchange certain lands within the State of Montana, and for other purposes, was considered as in Committee of the Whole.

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

FREE TEXTBOOKS FOR PUPILS OF DISTRICT PUBLIC SCHOOLS

The bill (H. R. 12739) to provide books and educational supplies free of charge to pupils of the public schools of the District of Columbia was considered as in Committee of the Whole.

Mr. CAPPER. Mr. President, I submit two amendments to this bill.

The PRESIDENT pro tempore. The amendments will be stated.

The CHIEF CLERK. On page 1, lines 6 and 7, it is proposed to strike out the comma following the word "textbooks" and the words "supplemental books, and other necessary educational books."

Mr. BAYARD. Mr. President, it is entirely impossible to hear anything that is going on. Can we not have order?

The PRESIDENT pro tempore. The Senate will be in order.

Mr. BAYARD. May the amendment be stated again?

The PRESIDENT pro tempore. The amendment will again be stated.

The CHIEF CLERK. On page 1, lines 6 and 7, it is proposed to strike out the comma following the word "textbooks" and the words "supplemental books, and other necessary educational books."

Mr. KING. Mr. President, the Senator from Colorado [Mr. PHIPPS] has objected to this bill several times. I do not think the Senate should take it up in his absence.

Mr. CAPPER. The amendments I have just presented are suggested by the Senator from Colorado and made the bill entirely satisfactory to him. They are also agreed to by the superintendent of schools and the Board of Education.

Mr. HEFLIN. Mr. President, I have two amendments to this bill. If the Senator from Kansas will accept them, very well. If not, the bill must go over. I ask to have them read at the desk.

The PRESIDENT pro tempore. We must dispose of the amendment that has already been stated to the Senate.

Mr. BLACK. Mr. President, I desire to ask the Senator from Kansas a question about that amendment. I have some objections which have been received in my office to this bill, with the statement that the Senator from Colorado [Mr. PHIPPS] has amended it in some way so as to prevent the furnishing of free textbooks to all the pupils in the schools, and a protest by the Board of Education of the District of Columbia.

Mr. CAPPER. The Board of Education of the District of Columbia agrees to the amendments I have submitted. The terms of the bill were rather broad as it was first presented to the Senate; and the Senator from Colorado thought it gave too much leeway in the selection of supplemental or extra books for the students of the senior and junior high schools. The Board of Education advise us that the amendments will make the bill entirely satisfactory to them, and they can obtain all the books that are required by the students of the junior and senior high schools.

Mr. McKELLAR. Will the Chair permit the amendments to be restated, so that we may understand what they are?

The PRESIDENT pro tempore. The amendment will be stated once more.

The CHIEF CLERK. The first amendment is, on page 1, lines 6 and 7, to strike out the comma following the word "textbooks" and the words "supplemental books, and other necessary educational books."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. GLASS. Mr. President, I have no objection to the amendment proposed, but it seems that we are to have other amendments; and if the bill is going to take up the time of the Senate, and prevent us from reaching other bills on the Unanimous Consent Calendar, I am going to object.

The PRESIDENT pro tempore. The bill will go over under the objection raised by the Senator from Virginia.

Mr. CAPPER. To the amendment I have submitted there is no one objecting.

Mr. GLASS. I am not objecting to the Senator's amendment, but other amendments are to be proposed.

Mr. CAPPER. I know nothing as to the other amendments.

Mr. HEFLIN. I have some amendments. I should like to have them read.

The PRESIDENT pro tempore. May we not have action on the amendment that has been stated?

Mr. BRATTON. I think the bill should go over.

The PRESIDENT pro tempore. On the objection of the Senator from New Mexico, the bill will be passed over.

Mr. SACKETT. Mr. President, would the Senator object to having this one amendment disposed of, so that we may perfect the bill?

Mr. HEFLIN. Mr. President, I ask that the bill go over unless my amendments are going to be accepted, because there is going to be a vote on them.

The PRESIDENT pro tempore. The bill will be passed over.

FEDERAL CONTROL OF RAILROADS

The bill (S. 3623) to amend section 204 of the act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920, was announced as next in order.

Mr. KING. Mr. President, will the Senator from Michigan [Mr. COUZENS] give us a brief explanation of this bill? It is a very important measure and I should like to understand its terms.

Mr. COUZENS. Mr. President, this bill, Senate bill 3623, was introduced at the last session of Congress for the purpose of carrying out a difference of opinion that arose between the Director General of Railroads and the Interstate Commerce Commission. It applies solely to the short-line railroads.

A controversy arose between the Interstate Commerce Commission and the Director General of Railroads as to when, if

at all, certain short-line railroads went under Government control. This bill, as proposed to be amended by the Committee on Interstate Commerce, gives permission to have a trial case brought before the court in the District to determine whether the Director General or the Interstate Commerce Commission interprets section 202 of the transportation act correctly. The bill provides for incurring no expense at all, but gives to the court jurisdiction to determine which of these two agencies of the Government is correct in its interpretation of this act.

Mr. McKELLAR. Mr. President, do I understand the Senator to say that all that is provided for is that there may be a lawsuit about the matter, in order that the courts may decide the situation upon the law and the evidence?

Mr. COUZENS. That is correct; and they have agreed to make one test case, instead of cluttering up the courts with different suits brought by the short-line railroads.

Mr. ROBINSON of Arkansas. Mr. President, what is the question that the courts will be empowered to decide if the bill passes?

Mr. COUZENS. If the Senator will look at the report he will find that at one time the Director General of Railroads said that certain railroads under President Wilson's order came under Government control. The Interstate Commerce Commission said that there was another time when they came under Government control; and the court is to determine the time when they did come under Government control for the purpose of settling the claims either of the Government against the short-line railroads or of the short-line railroads against the Government.

Mr. ROBINSON of Arkansas. Why can not that question be determined now in a proper proceeding? Why has it not been determined?

Mr. COUZENS. Because the Interstate Commerce Commission and the Director General of Railroads have not agreed, and the Interstate Commerce Commission has reversed itself as to the determination of the time and left certain short-line railroads up in the air, without any way of adjudicating their cases, and other cases have been adjudicated.

Mr. ROBINSON of Arkansas. It is found necessary in order to adjudicate the claims of the short-line railroads?

Mr. COUZENS. Yes. The Interstate Commerce Committee have been negotiating with the Interstate Commerce Commission and the short-line railroads for over a year to devise language that was satisfactory to the Interstate Commerce Commission to have this matter adjudicated.

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

Mr. COUZENS. I yield.

Mr. BLAINE. If I understand the Senator correctly, the case will be a moot case.

Mr. COUZENS. Oh, no; they will take one concrete case which involves the same principle that is involved in all the other cases.

Mr. ROBINSON of Arkansas. It will be a test case.

Mr. BLAINE. Will it be seeking an advisory opinion?

Mr. COUZENS. Oh, no; it will be a test case. It will be a concrete case, with the same principle involved that is involved in the cases of all the other short-line railroads.

Mr. BLAINE. Brought by one of the roads against the department?

Mr. COUZENS. Yes.

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

Mr. COUZENS. Yes.

Mr. FESS. I have two or three telegrams from Cleveland protesting against the passage of the bill. If the bill does nothing more than the Senator says—and I have no reason to believe that he is incorrect about it—it seems to me there is no objection to the passage of the bill. Notwithstanding the fact that I have some telegrams expressing opposition to it, I am inclined to let the bill go through.

Mr. COUZENS. I think the Senator's constituents have misunderstood the nature of the bill.

Mr. ROBINSON of Arkansas. Mr. President, we can not hear what is being said. If there is anything important going on over there, we should like to hear it.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. FESS. I was just stating to the Senator that I had had some protests in the form of telegrams from Cleveland, Ohio, against the passage of this bill; but I can not see any basis for the protests, for, as the Senator explains the matter, this is simply an opportunity to adjudicate a point in difference that ought to be cleared up. For that reason I am not inclined to oppose the bill.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce with an amendment to strike out all after the enacting clause and insert:

That section 204 of the act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920, be amended and reenacted by adding thereto a new paragraph to be known as paragraph (h).

(h) If the claim of any carrier under this section is denied in whole or in part by the commission, the several district courts of the United States shall have jurisdiction, upon a petition of such carrier to enjoin and set aside such action of the commission, to hear and determine questions of law arising upon such claims in the same manner and to the same extent as they now hear and determine questions of law in cases brought to enjoin, set aside, annul, or suspend in whole or in part any order of the Interstate Commerce Commission under the act entitled "An act to create a commerce court and to amend the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910, as amended by the act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes," approved October 22, 1913; and the provisions of said act shall apply to all such proceedings under this amendment: *Provided*, That if the petition is for the enjoining and setting aside of any such action taken by the commission prior to the approval of this amendment said petition shall be filed within one year from the time when this act is approved, and not after; and if the petition is for the enjoining and setting aside of any such action taken by the commission after the approval of this amendment, said petition shall be filed within one year from the time when such action is taken by the commission, unless within such period the carrier and the commission agreed in writing to suspend the running of the statute of limitations for filing suit from the date of the agreement to the date of the final decision in one or more named cases then pending before the courts.

The amendment was agreed to.

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

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

RELIEF OF FARMERS IN ORANGE COUNTY, N. Y.

The bill (S. 5743) authorizing an appropriation of $50,000 for the purchase of seed, feed, and fertilizer to be supplied to farmers in the flooded sections of Orange County, N. Y., and for other purposes, was announced as next in order.

Mr. BAYARD. Let that go over.

Mr. COPELAND. Mr. President, was this bill objected to?

The PRESIDENT pro tempore. Yes.

Mr. COPELAND. I do not know who made the objection.

Mr. BAYARD. I made the objection.

Mr. COPELAND. If the Senator will withhold his objection for a moment, I should like to explain the object of the bill.

Mr. BAYARD. I shall be glad to do so.

Mr. COPELAND. In the Wallkill Valley over two or three years there have been several floods, and as a result of them a thousand families are without means of support. They have no money to buy seed or fertilizer; and the object of this bill is the very obvious purpose of relieving their necessities.

Mr. BAYARD. I shall have to continue my objection, Mr. President.

The PRESIDENT pro tempore. The objection is maintained, and the bill will be passed over.

BILL PASSED OVER

The bill (S. 3913) to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes, was announced as next in order.

Mr. KING. Let the bill be explained, Mr. President.

The PRESIDENT pro tempore. Neither the author of the bill nor the Senator who reported it is present.

SEVERAL SENATORS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

INCINERATORS FOR REFUSE IN THE DISTRICT

The bill (S. 5598) authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern high-temperature incinerators for the destruction of combustible refuse, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 4, line 12, after the word "exceeding," to strike out "$725,000" and insert "$850,000," so as to make the bill read:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to acquire, by purchase at such price or prices as, in their judgment, they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation, in accordance with the provisions of Chapter XV of the Code of Laws for the District of Columbia, under a proceeding or proceedings in rem instituted in the Supreme Court of the District of Columbia, two suitable and properly located sites in the District of Columbia, one in the southeastern section not exceeding 100,000 square feet in area, and one in Georgetown, not exceeding 49,000 square feet in area: *Provided*, That if the said sites or any part thereof be condemned the said commissioners shall be entitled to enter immediately into possession of any property for which an award shall have been made by paying the amount of such award into the registry of the Supreme Court of the District of Columbia: *Provided further*, That authority is hereby granted to occupy, in addition to the site to be acquired in the southeastern section, such public highways and alleys or parts of public highways and alleys as abut or fall within said site, but the owners of abutting property shall not be denied the use of such highways or parts of highways for ingress and egress.

SEC. 2. That the said commissioners are authorized to erect upon each of said sites a modern, high-temperature refuse incinerator and the necessary equipment for its efficient operation, the combined capacity of such incinerators to be sufficient to consume the entire production of combustible refuse, including street sweepings, in the District of Columbia; and the said commissioners are further authorized to do such grading and fencing of the sites as may be necessary, and to construct loading hoppers, separating plants, ramps, platforms, and buildings for the storage of equipment.

SEC. 3. That the said commissioners shall give reasonable public notice thereof and shall fix a date after which all combustible refuse collected by public or private agencies in the District of Columbia shall be delivered at the incinerators herein provided for, for disposal, except that hotels, apartment houses, business houses, or residences may dispose of their own refuse in their own incinerators: *Provided*, That such incinerators are inspected and approved for use by the proper agency of the District of Columbia; and after such date it shall be unlawful for any person, firm, company, or corporation to dispose of any combustible refuse in any other manner or at any other place than that prescribed by the said commissioners. The said commissioners are hereby empowered and authorized to make and enforce such regulations as they may deem necessary and proper to carry out the purposes of this act.

SEC. 4. That from and after the date when the incinerators herein authorized to be constructed shall be in operation it shall be unlawful for any person, firm, company, or corporation to burn or in any way dispose of combustible refuse in any manner or at any place other than that prescribed by the said commissioners, except as hereinbefore designated. A violation of the provisions of this act shall be a misdemeanor; and, upon conviction thereof, the person, firm, company, or corporation so charged shall be fined not more than $100 for each and every offense, or confined in the District of Columbia jail for a period not exceeding 60 days, or both, in the discretion of the courts.

SEC. 5. That, in order to dispose of combustible refuse in the manner provided by this act, the commissioners are authorized to purchase motor trucks and trailers and other means of transportation, to install additional equipment, buildings, and machinery, and to employ personal services and labor.

SEC. 6. That a sum not exceeding $850,000 is hereby authorized to be appropriated, in like manner as other appropriations, for the expenses of the District of Columbia, for sites, buildings, equipment, and other construction work authorized by this act, of which amount $25,000 or so much thereof as may be necessary may be expended for the employment of one or more experts for engineering studies, to determine the possible generation or use of available power resulting from incineration of combustible refuse, and for preparation of plans and specifications; and, upon completion of the incinerators herein provided for, the said commissioners shall abandon the use of the leased plant at Montello Avenue and Mount Olivet Road NE.

The amendment was agreed to.

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

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

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. 5879) authorizing Llewellyn Evans, J. F. Hickey, and B. A. Lewis, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, within the county of Pierce, State of Washington, at or near a point commonly known as the Narrows.

The message also announced that the House had passed the bill (S. 4704) 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 Tropic Everglades National Park in the State of Florida, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 17053. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1930, and for other purposes; and

H. R. 13060. An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the causes and means of transmission of yellow fever.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to each of the following bills:

S. 2366. An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions; and

S. 3162. An act to authorize the improvement of the Oregon Caves in the Siskiyou National Forest, Oreg.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16839. An act to provide for investigation of sites suitable for the establishment of a naval airship base; and

H. R. 17026. An act granting a part of the Federal building site at Savannah, Ga., to the city of Savannah for street purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 2068. An act for the relief of certain officers of the Dental Corps of the United States Navy;

S. 3198. An act to amend the act of March 3, 1915, granting double pension for disability from aviation duty, Navy or Marine Corps, by inserting the word "Army," so as to read: "Army, Navy, and Marine Corps";

S. 3590. An act to amend section 110 of the Judicial Code;

S. 3770. An act authorizing the Federal Power Commission to issue permits and licenses on Fort Apache and White Mountain Indian Reservation, Ariz.;

S. 3936. An act to regulate the practice of the healing art to protect the public health in the District of Columbia;

S. 4063. An act to amend certain sections of the teachers' salary act, approved June 4, 1924, and for other purposes;

S. 4087. An act authorizing the use of certain land owned by the United States in the District of Columbia for street purposes;

S. 4691. An act to extend the provisions of section 18a of an act approved February 25, 1920 (41 Stat. 437), to certain lands in Utah, and for other purposes;

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. 5193. An act to authorize the President of the United States to appoint an additional judge of the District Court of the United States for the Middle District of the State of Pennsylvania;

S. 5621. An act to repeal paragraphs 127 and 128 of the act entitled "An act to discontinue certain reports now required by law to be made to Congress," approved May 29, 1928;

H. R. 4266. An act for the relief of certain officers and former officers of the Army of the United States, and for the settlement of individual claims approved by the War Department;

H. R. 8295. An act for the appointment of an additional circuit judge for the ninth judicial circuit;

H. R. 11360. An act to authorize the Secretary of the Interior to convey or transfer certain water rights in connection with the Boise reclamation project;

H. R. 13831. An act granting the consent of Congress to the Momence conservancy district, its successors and assigns, to construct, maintain, repair, and improve a dam across the Kankakee River at Momence, in Kankakee County, Ill.;

H. R. 15712. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes;

H. R. 16274. An act to provide for the establishment of a municipal center in the District of Columbia;

H. R. 16656. An act providing for retired pay for certain members of the former Life Saving Service, equivalent to retired pay granted to members of the Coast Guard;

H. R. 16658. An act 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;

S. J. Res. 111. Joint resolution authorizing the acceptance of title to certain lands in the counties of Benton and Walla Walla, Wash., adjacent to the Columbia River bird refuge in said State established in accordance with the authority contained in Executive Order No. 4501, dated August 28, 1926; and

S. J. Res. 206. Joint resolution to authorize the President of the United States to appoint a Yellowstone National Park Boundary Commission to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park.

BILL PASSED OVER

The bill (S. 1896) authorizing the Secretary of the Treasury to amend the contract executed by the Treasury Department for the construction of the Edward Hines Junior Hospital at Broad View, Ill., was announced as next in order.

Mr. BLEASE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

OIL AND GAS PROSPECTING PERMITS AND LEASES

The bill (H. R. 479) to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with amendments.

The first amendment was, on page 1, line 7, after the words "to the," to strike out "Northeast quarter and north half of southwest quarter of section 5; the east half of northeast quarter and northeast quarter of southeast quarter of section 6; the southwest quarter of northeast quarter, south half of northwest quarter, and southeast quarter of section 29; the."

The amendment was agreed to.

Mr. WHEELER. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

CONSTRUCTION OF PUBLIC WORKS

The bill (H. R. 13884) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. SWANSON. Mr. President, I hope the Senator——

Mr. KING. We can take it up at a later date. It would take too long now. I have several amendments to offer.

MISSOURI RIVER BRIDGE, IOWA

The 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, was announced as next in order.

Mr. BROOKHART. Mr. President, a bill identical with this has passed the House and was substituted for this and passed the Senate. I therefore ask that this bill be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, that order will be entered.

MISSISSIPPI RIVER BRIDGE, TENNESSEE

Mr. McKELLAR. Mr. President, I ask unanimous consent to return to Senate bill 5685, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tiptonville, Tenn. Since that bill was passed over a few moments ago there has been sent to the Senate House bill 16959, which has passed the House, and I move that that bill be substituted for the Senate bill and that we proceed to the consideration of the bill.

There being no objection, the bill (H. R. 16959) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tiptonville, Tenn., was read twice by its title and considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Mississippi River at or near Tiptonville, Tenn., authorized to be built by J. T. Burnett, his heirs, legal representatives, and assigns, by the act of Congress approved May 14, 1928, are hereby extended one and three years, respectively, from May 14, 1929.

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

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

Mr. McKELLAR. I move that Senate bill 5685 be indefinitely postponed.

The motion was agreed to.

INTERNATIONAL STREET, ARIZONA

Mr. HAYDEN. Mr. President, when Calendar No. 1747 was reached, I asked that the bill be temporarily passed over until an identical House bill could be sent over to the Senate. The House bill is now here on the table, and I ask that it be substituted for the Senate bill and that we proceed to its consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the 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, was read twice by its title and considered as in Committee of the Whole.

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

The PRESIDENT pro tempore. Senate bill 5581 will be indefinitely postponed.

MISSOURI RIVER BRIDGE, KANSAS

The bill (S. 5758) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 8, to strike out "the date of approval hereof" and insert in lieu thereof "May 22, 1929," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans., authorized to be built by the Interstate Bridge Co., its successors and assigns, by act of Congress approved May 22, 1928, are hereby extended one and three years, respectively, from May 22, 1929.

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

The amendment was agreed to.

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

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

LAKE CHAMPLAIN BRIDGE

The bill (S. 5045) authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from the town of Alburgh, Vt., to the town of Swanton, Vt., the said right and privilege to extend across Lake Champlain along the shore line 1 mile each way, northerly and southerly from the Central Vermont Railway Co.'s bridge on the Swanton shore and 1 mile northerly from said bridge and southerly from said bridge to the south end of McGregors Point, so called, on the Alburgh shore at a point at or near East Alburgh was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 2, line 5, to strike out "Alburgh" and insert "Alburg"; in line 5, after "near," insert "west"; on page 3, line 16, strike out "twenty" and insert "five"; on page 5, line 19, strike out "this" and to insert in lieu thereof "his"; on page 6, after line 9, to insert a new section, as follows:

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act, and which shall involve the expenditure of more than $5,000, shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

On page 7 change the section number from "8" to "9."

So as to make the bill read:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Jed P. Ladd, of Burlington, Vt., his heirs, legal representatives, and assigns, be, and he is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Lake Champlain, at a point suitable to the interests of navigation, between a point at or near East Alburg, Vt., and a point at or near West Swanton, Vt., in

accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

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

SEC. 3. The said Jed P. Ladd, his heirs, legal representatives, and assigns are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

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

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

SEC. 6. Jed P. Ladd, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway department of the State of Vermont a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of such State shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of cost so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said Jed P. Ladd, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Jed P. Ladd, his heirs, legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or persons.

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than $5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

SEC. 9. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt."

OHIO RIVER BRIDGE, WEST VIRGINIA

The bill (S. 5735) granting the consent of Congress to the city of Wheeling, W. Va., to construct, maintain, and operate a free highway bridge across the east channel of the Ohio River, was announced as next in order.

Mr. DALE. Mr. President, I ask that that bill be taken from its place under Rule VIII and be put under Rule IX.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ST. LAWRENCE RIVER BRIDGE, NEW YORK

The bill (S. 5706) authorizing Frank A. Augsbury, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River at or near Morristown, N. Y., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, Frank A. Augsbury, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Lawrence River, so far as the United States has jurisdiction over the waters of said St. Lawrence River, at a point suitable to the interests of navigation at or near Morristown, St. Lawrence County, N. Y., to some suitable or convenient point at or near Brockville, in the Province of Ontario, in the Dominion of Canada, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon Frank A. Augsbury, his heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of New York needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of New York, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property for public purposes in such State.

SEC. 3. The said Frank A. Augsbury, his heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of New York applicable thereto, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Frank A. Augsbury, his heirs, legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

RED RIVER BRIDGE, LOUISIANA

The bill (S. 5720) authorizing L. L. Thompsen, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Red River at or near Montgomery, La., was announced as next in order.

Mr. RANSDELL. Mr. President, a bill identical with this has passed the House. I ask that the House bill be substituted and passed.

The PRESIDENT pro tempore. Without objection, this bill will be temporarily passed over until the message from the House can be found.

SURVEY OF INDIAN CONDITIONS IN THE UNITED STATES

The resolution (S. Res. 303) increasing the limits of expenditure for a survey of Indian conditions in the United States was announced as next in order.

Mr. HAYDEN. Mr. President, reserving the right to object, which I do not intend to do, I desire to address the Senate for five minutes at this time on this resolution.

The PRESIDENT pro tempore. The amendment has been agreed to heretofore.

Mr. HAYDEN. I have no objection to the amendment.

The character of the investigation which has recently been conducted by a subcommittee of the Senate Committee on Indian Affairs is so similar to the famous Committee on the Conduct of the War that I would like to read an extract from Battles and Leaders of the Civil War, which I think is appropriate at this time.

I find in that volume this statement:

> The Committee on the Conduct of the War proceeded to investigate Ball's Bluff by the methods common to nearly all similar bodies. Witnesses were summoned and examined without order; there was no cross-examination; the accused was not confronted with the witnesses nor told their names, nor the charge upon which he had been already tried, condemned, and sentenced before he was even allowed to appear.

This subcommittee of the Committee on Indian Affairs, with the $30,000 heretofore appropriated by Congress, has employed investigators to go about in various parts of the United States seeking out complaints against the Indian Service. If any person could be found who had a grouch, or a grievance, he was heard; if he was disgruntled or a sorehead, the investigators were very glad indeed to meet and talk with him, but the officials of the Indian Service, the various Indian superintendents in the United States whose conduct was under investigation, were not notified of these complaints.

The most flagrant instance that I found, and yet it is typical, is the case of the Riverside Indian School in California. Two members of the subcommittee visited Riverside, examined witnesses in the city of Riverside for two days, took testimony derogatory to the superintendent of the school and to its management, and yet never visited the Sherman Institute. They were invited to go into the outskirts of Riverside and inspect the school. They never went into its precincts, and never called the superintendent before them, though he was severely criticized by witnesses who appeared at the Riverside hearings.

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

Mr. HAYDEN. I yield.

Mr. FRAZIER. I want to say, in regard to the Riverside situation, that there was a flu epidemic at the time we were there, and a large number of the pupils were sick with the flu. The superintendent was also sick. We invited him to appear, but he could not come on account of his illness.

Mr. HAYDEN. The report I have from that school, made by four distinguished citizens of Riverside, which I shall ask to have inserted in the RECORD, reads, in part, as follows:

> (a) No visit was made to Sherman, 5 miles away, though invited. Would it not have at least been fair to have seen the school.
>
> (b) Superintendent Conser was not consulted in any manner. Is not his 20 years of experience valuable, and should he not be asked to give his versions.
>
> (c) Doctor Wells sat in the room a good part of the time, but he was not asked anything. Why deliberately ignore the valuable help he could have given.
>
> (d) Dr. W. W. Robles, the attending physician, was not called. He has an Indian service health record second to none, nor second to any white school or college.
>
> (e) There was much valuable information that could have been had, but you can't get it when the so-evident purpose is to criticize and neither to commend nor recognize the management, and there is no more successful man in the Indian Service than Supt. F. M. Conser, of Sherman.

I bring this matter to the attention of the Senate in connection with this resolution, which, as I stated, I shall not object to in its amended form. I am willing that money be appropriated to the extent of $15,000 to continue this investigation, as recommended by the Committee to Audit and Control the Contingent Expenses of the Senate. I hope that as the investigation continues opportunity will be given to the superintendents and other employees in the Indian Service who are under investigation and criticism to appear and defend themselves from unjust charges and accusations.

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

Mr. HAYDEN. I yield.

Mr. DILL. The difficulty we had in my own State when the committee came there was to get the superintendent and his subordinates to come to the hearing.

Mr. HAYDEN. The committee had full power to subpœna witnesses, to call for persons and papers, so there should have been no difficulty about that.

Mr. DILL. The superintendent had left the country and had gotten as far away as he could, and we had to call for his assistants repeatedly to get them there. It seemed to me that they did not want to appear. They did not want to be there at all. That was my chief criticism of them.

Mr. HAYDEN. The complaint I have to make is that the attorneys and investigators employed by this committee went about the country merely seeking to find persons who were willing to criticize the Indian Bureau. I inquired the other day as to how the first $30,000 had been expended and could not get the information at that time.

The PRESIDENT pro tempore. The time of the Senator from Arizona has expired. Did the Senator from Arizona wish to ask unanimous consent for the printing of something in the RECORD?

Mr. HAYDEN. I do so request.

The PRESIDENT pro tempore. Is there objection?

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

RIVERSIDE, CALIF., *February 5, 1929.*

SENATE AND HOUSE COMMITTEES ON INDIAN AFFAIRS,
Washington, D. C.

GENTLEMEN: Pursuant to request through the Indian department, this report is made by Dr. W. B. Wells, city and county health officer, a resident and practitioner in Riverside for 20 years, and who has done considerable social welfare and inspection work in years past with Mr. S. C. Evans, one of this committee, then mayor of Riverside. Doctor Wells has been and is generally familiar with Sherman Institute and also with the Mexican problem as it exists in the Coachella Valley, in the eastern part of Riverside County, and also in the cities of the county in relation to housing, food, sanitation, and health, with considerable direct observation and experience with tuberculosis, trachoma, smallpox, diphtheria, and the other diseases encountered in general practice. He has been one of our most efficient and most experienced advocates of pure milk and sanitary food and living conditions.

Mr. Meyer Schaenthal has been secretary of the Riverside Chamber of Commerce since 1923. He has attended numerous functions at Sherman Institute and often visits the grounds, and has had abundant opportunity to see the Indian children. He has seen the boys many times in their musical and band exercises on the grounds and at functions away from Sherman, also at football and other athletic exercises. He has also set in at conferences and heard discussed and presented the various phases of local support and activities relating to Sherman, as well as our community interest in the students.

He has also had opportunity to observe and be present when the girls of Sherman have given their public presentations of music, speaking, etc.

Mrs. W. H. Ellis is the widow of our late superior court judge, W. H. Ellis. She and Judge Ellis lived for several years in the Perris Valley near the Indian school before it was removed to Riverside, and later they lived very near the school after its removal to Riverside. Her observation and acquaintance of those years have been deepened and strengthened by her many appreciated services to the community during the war and since, and she has been much interested in Sherman. She has served as president of the Riverside Woman's Club.

Mr. S. C. Evans has visited and collected among the Indians of the Southwest for many years, and has visited Indians throughout California, Arizona, New Mexico, the Klamath country, and all down the west coast of Mexico and below the border adjoining San Diego and Imperial Counties.

He knew the Indian school when it was at Perris and saw its removal to Riverside. He sat in conferences when the late Charles F. Lummis and others advised the Pala location for the removal of the Warner Ranch Tribe, and he witnessed that removal. He has visited Pala several times. He has visited Sherman many times; has addressed the students; delivered the graduating diplomas one year; has visited the dining room and kitchen at meal times and seen the food

prepared. He has consulted in the purchase of the last additional land, and has known conditions fairly intimately wholly on account of his interest in and acquaintance with Indians and Indian life on the various reservations. When State senator he investigated the condition of the Indians in Inyo County, Calif. He has also at times employed Indians in land development. He has camped with the Indians on reservations, attended their ceremonies and games; has photographed them and collected their art, but never for commercial purposes.

We feel, therefore, that we are reasonably well qualified to speak on Indian matters with a sympathetic and fair understanding and without prejudice.

After reading, as we have, throughout the years various reports and investigations and magazine articles on Indian matters, and after attending, as several of us have, numerous meetings and conferences and presentations where speakers have addressed from a few to several hundred, we can not but be impressed with the very evident attempt by some reports and investigations and by some speakers to unnecessarily criticize the Government, the Indian Bureau, and the nonreservation boarding school, including Sherman Institute. Constructive criticism is acceptable to all reasonable people, but unreasonable fault finding and some misstatements at times repeated are not conducive to cooperation or to fair decisions.

Many of these critics and investigators have no particular knowledge of the Indians, nor have they in many instances given any adequate time to visitation or inquiry. Very learned language and emphatic statements do not constitute any supereducation nor need any extraordinary ability; and so, while we do not for a minute recognize or acknowledge the claimed particular Indian knowledge of some of these critics and investigators, we offer our comments with a desire to speak rationally and in plain English.

(1) After very careful investigation we deny absolutely that a certain Indian boy was struck in the face by the disciplinarian so that blood flowed from the boy's nose in profusion, etc. This being the case of one Luke Chester from the Klamath country. (Riverside hearing, November 22 to 24, 1927.) This boy was at the time about 20 years old, some six years back, and he was a fairly husky and well-built lad of about 170 pounds. There was a white man by the name of Soden, employed as a carpenter, and he and Luke were working together, when some dispute arose. Mr. Soden asked the disciplinarian, Emil Benson, to punish Luke, and after an investigation the disciplinarian said that he saw no reason for punishment and so he refused. Soden then said that he would do it, and he proceeded to strike Luke in the nose and blood flowed. Luke at once attacked Soden and soon Soden called for help, when the disciplinarian said, "You started this, now you finish it," words approximating that idea.

Mr. Bert Amos Jameson, an Indian, then assistant disciplinarian, and yet at Sherman, was present all the time this took place, about 8.30 to 9 a. m. on the porch of the large boys' building, and he says that the disciplinarian did not even touch the boy Luke, and advised against punishment.

Among so many Indian boys, as with a like number of whites, there are rough ones at times, but very few here and no abuse. The former "jail" of early years was torn down here before the ruling against corporal punishment was promulgated.

We commend that rule. We find that no brutal or excessive punishment has been administered at Sherman. People in jail and in prison sometimes make enough agonizing noises to make you think they were being killed (if you heard them), but this in turn is the exception, and rare exceptions there have been, when, for instance, during Mr. Addison's time as disciplinarian, one bad Indian cut him slightly with a knife, but this and a few are extreme cases.

(2) We personally know that Supt. F. M. Conser for approximately 20 years has sought to raise the age limit of admittance, as enough letters and statements attest, and still at times the pressure of Indian parents is hard to resist in cases, for instance, where small children are deserted by the husband, say, of a mixed marriage, as in the case of one young girl now here. We saw her and we read her case—it is the exception—but this little girl is immeasurably better off here, and taking her at her mother's request was the thing to do—and yet, without the knowledge of her case, the critic can make it appear as terrible.

We agree that the small children should preferably remain with their parents and attend day schools or near-by boarding schools where they can return home at times; but this should not be a hard and fast ruling, as some of these smaller children, even in particular cases, would be better off at Sherman than in any home their parents or one parent can in cases provide. Establish the principle, but administer it reasonably.

To make this change desirable a financial and home visitation set-up must be had and transportation arranged for, as the latter now is done at Pala and at Warner's ranch schools. The desires of the Indian parents should be a decided factor, and they will not be one-minded.

In the hearings held in Riverside November 22 to 24, 1927, the inference was given by one witness that Sherman, as well as other schools, indulged in the sport of forcibly taking children from their parents and bringing them here against their parents' consent. We have heard this before and we state, without any fear of proof to the contrary, that such a condition does not exist here nor would it be countenanced here or elsewhere by anyone with an ounce of sense. It may be—we do not know—that something of too much show of force has been used in years past by some one in the field, but let us hope we have outgrown any such impatience as we have outgrown and improved white conditions in our schools.

(3) We repeat, this statement is injurious and not true as to Sherman, and we challenge any proof to the contrary. The consent of every child's parent is here first obtained. There are those who wish to come, but there is no more room.

This statement is similar to one made in Los Angeles, but a few years back, by a Congressman, that a girl of a certain tribe had been mistreated here, when no girl of that tribe had at that date ever attended here and he was so informed. These loose statements are unnecessarily injurious to good service, and they are too often not true.

Let us insert that the late Riverside investigation of November, 1928, was either very weak or very one sided.

(a) No visit was made to Sherman 5 miles away, though invited. Would it not have at least been fair to have seen the school?

(b) Superintendent Conser was not consulted in any manner. Is not his 20 years of experience valuable, and should he not be asked to give his version?

(c) Doctor Wells sat in the room a good part of the time, but he was not asked anything. Why deliberately ignore the valuable help he could have given?

(d) Dr. W. W. Roblee, the attending physician, was not called. He has an Indian Service health record second to none, nor second to any white school or college.

(e) There was much valuable information that could have been had, but you can not get it when the so-evident purpose is to criticize and neither to commend nor recognize the management; and there is no more successful man in the Indian Service than Supt. F. M. Conser, of Sherman.

The food is plentiful enough, of good quality, and sustaining, as evidenced by the physical looks and the medical reports, reference to which, with a more exhaustive statement, will follow this report.

There could be a greater variety, but there again is a problem of getting some of the Indians to eat certain foods. We will later comment further on this.

If more funds can be supplied, we would favor a raise in cost per meal so that milk, eggs, and butter could be served more frequently, and especially so if meat prices are to remain high.

(4) Yes; looking at it one way, some of the dormitories are too crowded for a permanency, and the school has reached its limit in numbers. The sanitation, cleanliness, warmth, beds and bedding, parlor, and entertainment and study rooms, and open space is sufficient and comfortably equipped. So are bathing showers and individual towels. A few additional toilets should be installed.

We will, however, and within a short time, report constructively as to possible housing and food improvement, based on the funds available; and we will also include a survey of the hospital and health conditions, which are good and under the personal care for 20 years of Dr. W. W. Roblee, one of our ablest physicians and surgeons; and his reports are on file and will be referred to.

His record in tuberculosis and trachoma is exceedingly good and, notwithstanding the flu, the health and physical condition of the Indians is not only good but it is excellent, and they are well and amply cared for by efficient attendants. This statement is not any "bolster up," but it is a real fact of which our whole community is proud.

In conclusion let us say that there are excellent people who have the good of the Indian at heart and who have done good work for him in helping to interpret or have interpreted some of the Indian laws and to prevent some acts becoming laws in the way they were first drawn. There have been in this section some unwise attempts at allotment, and there have been cases hard to deal with, largely due to the unsettled status of the Indian as a citizen, notwithstanding the decisions.

What is a "competent" and what is an "incompetent" Indian is a source of annoyance at times.

Suffering at times is self-imposed, and as one instance both a wife and later the husband died absolutely unnecessarily, but neither would listen to any reason or undergo reasonable attention, though offered by two members of this committee.

Several of the old men absolutely refuse to have their eyes treated or to be given glasses, and this objection to glasses is common at Sherman, though some progress has been made. Extreme cases are known where the lenses have been removed and only the rim worn for a while.

One member of this committee is now trying to get an old Indian man to use glasses, but he refuses.

Are you going to use force to make them receive proper attention? You can't do the impossible with the older Indians or with the more primitive younger ones; it must come with persuasion and education and by the object lesson of seeing others benefited.

Why not forget a good deal of this hysteria, this unfair criticism in many instances, this dividing into groups and associations?

Why not take the financially possible and the more reasonable and practical suggestions and criticisms of the Merriam report—but not all of it—and let all of those who are helpfully interested in the Indian get together for real advancement, rather than be so somewhat intolerant in places of other people's viewpoints and insistence on facts.

None of us know it all, but all of us can or ought to dispassionately discuss and present a reasonable and humane and educational program without soaring into an impossible Utopia.

We pledge our cooperation to all who will work in this spirit.

More details soon.

With best wishes,

W. B. WELLS, M. D.
M. L. SCHOENTHAL.
Mrs. W. H. ELLIS.
S. C. EVANS.

Mr. THOMAS of Oklahoma. Mr. President, during the past year there has been considerable criticism of the Indian Bureau. The investigation now being made discloses that the administration of the Indian Service is not perfect. It would be a miracle if it were.

Mr. McNARY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. McNARY. What is the measure before the Senate?

The PRESIDENT pro tempore. The measure before the Senate is Senate Resolution 303, introduced by the Senator from North Dakota [Mr. FRAZIER].

Mr. FESS. Let it go over.

Mr. ASHURST. I believe it is a great mistake——

The PRESIDENT pro tempore. The Senator from Oklahoma has the floor. To whom does he yield?

Mr. THOMAS of Oklahoma. I will occupy but a moment and prefer not to yield.

The PRESIDENT pro tempore. The Senator from Oklahoma has the floor.

Mr. THOMAS of Oklahoma. In connection with the remarks just made by the Senator from Arizona [Mr. HAYDEN], I want to submit for the RECORD some data which I think will be helpful; at least they should be helpful.

Some of the criticism leveled at the Indian Bureau perhaps is just, but I am convinced that much of it is entirely unjust. The Indian Bureau is only one element in this matter. The Indian Bureau can function only when and after the Congress gives it money with which to operate.

The record shows that during the past two years the Indian Bureau has submitted estimates to the Budget Bureau totaling something like $13,000,000, which have been denied. Yet the Indian Bureau is criticized for not taking care of the sick and ill and dying Indians, when the facts are that requests have been made for funds with which to improve conditions, to build hospitals, to extend and equip hospitals, and in some instances the Bureau of the Budget has denied such requests and in other cases the Congress has denied the money.

Recently I made inquiry of the Commissioner of Indian Affairs relative to the matter and have his reply, and I now ask unanimous consent to insert in the RECORD, in connection with what I have just stated, a copy of the letter I sent to Commissioner Burke, the Commissioner of Indian Affairs, and likewise his reply thereto, containing a tabulation of figures showing the amounts of money requested of the Budget Bureau and the amounts denied by that department.

The PRESIDENT pro tempore. Is there objection?

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

FEBRUARY 9, 1929.

Hon. CHAS. H. BURKE,
Commissioner Bureau of Indian Affairs,
Department of Interior, Washington, D. C.

MY DEAR MR. BURKE: Much of the criticism that is now being directed toward your office, it occurs to me, should be directed against other departments of the Government. I realize that we do not have adequate hospital facilities to take care of our Indian population. I realize further that many Indian schools do not have adequate hospital facilities to take care of the Indian children when they become ill and, having no such facilities, nothing can be done except to send them to their homes.

If this is correct, the Congress is mainly responsible for this condition, because I understand that your department has made recommendations on many former occasions for funds with which to adequately take care of the several situations complained of.

To the end that I may have accurate information, please send me an itemized statement of the funds requested from the Budget Bureau during the past two years which have been denied by said Budget Bureau.

In addition to the itemized statement of the funds requested, and denied by the Budget Bureau, please send me an itemized statement of the funds recommended by the Budget Bureau and denied by the Congress. In preparing these two statements, please go into such details as you think would be of benefit to the Congress.

Thanking you in advance for this information, I am

Yours most cordially,

ELMER THOMAS.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 14, 1929.

Hon. ELMER THOMAS,
United States Senate.

MY DEAR SENATOR: I am in receipt of your letter of February 9, requesting certain information in regard to the estimates for the Indian Service for the fiscal years 1929 and 1930 which have not been transmitted to Congress. The following is a statement in regard to the preliminary, regular, and supplemental estimates for the fiscal year 1929:

Preliminary estimates, Treasury appropriations	$20,375,308.75
Supplemental estimates	3,029,505.75
Regular estimates	16,092,303.00
Total regular and supplemental estimates, fiscal year 1929	19,121,808.75
Total budget submitted to Congress	13,754,009.00
Reduction	5,367,799.75

This is the greatest detail that we can furnish at this time in connection with the estimates for the fiscal year 1929.

I am inclosing herewith a table showing a comparison of the preliminary, regular, and supplemental estimates of the Indian Service for the fiscal year 1930, which also shows the reductions in these estimates. The total reduction will be found in the grand total on page 3, which amounts to $6,701,681. You will note that our estimates have been reduced approximately $12,000,000 for the two years.

Referring to your inquiry about the estimates transmitted to Congress and which were denied, you are advised that Congress made appropriations slightly in excess of the amounts contained in the Budget for the fiscal years 1929 and 1930. If further detailed information is desired we will be glad to furnish it to you upon request.

Cordially yours,

CHAS. H. BURKE, *Commissioner.*

Approved.

E. C. FINNEY,
First Assistant Secretary.

Comparative statement preliminary, regular, and supplemental estimates fiscal year 1930

No.	Title	Preliminary	Regular	Supplemental	Total of columns 2 and 3	Budget allowance	Reductions	Allowed by Congress
1	Salaries, Bureau of Indian Affairs [1]	$409,000.00	$409,000.00		$409,000.00	$400,000.00	$109,000.00	$400,000.00
2	Establishment division of planning and development [1]	100,000.00		$100,000.00	100,000.00	15,740.00	84,260.00	15,740.00
3	General expenses, Indian Service	13,500.00	13,500.00		13,500.00	12,000.00	1,500.00	12,000.00
4	Purchase and transportation of Indian supplies	556,500.00	556,500.00		556,500.00	600,000.00		[2] 600,000.00
5	Inspectors, Indian Service	16,700.00	16,700.00		16,700.00	15,500.00	1,200.00	15,500.00
6	Pay of judges, Indian courts	19,000.00	19,000.00		19,000.00	18,000.00	1,000.00	18,000.00
7	Pay of Indian police	171,200.00	171,200.00		171,200.00	163,000.00	8,200.00	163,000.00
8	Suppressing liquor traffic among Indians	100,000.00	50,000.00		50,000.00	22,000.00	28,000.00	[2] 100,000.00
9	Indian agency buildings	450,000.00	250,000.00	225,000.00	475,000.00	250,000.00	225,000.00	250,000.00
10	Telephone line, Nespelem to Wellpinit	8,500.00	8,500.00		8,500.00		8,500.00	
11	Telephone line, Flagstaff to Kayenta	35,000.00	35,000.00		35,000.00		35,000.00	
12	Water system, etc., Standing Rock Agency [4]	13,100.00						
13	Water system, etc., Turtle Mountain Agency [4]	7,000.00						
14	Vehicles, Indian Service (authorization)							
15	Replacement of property destroyed by fire, etc. (authorization)							

Footnotes at end of table.

Comparative statement preliminary, regular, and supplemental estimates fiscal year 1930—Continued

No.	Title	Preliminary	Regular	Supplemental	Total of columns 2 and 3	Budget allowance	Reductions	Allowed by Congress
16	Determining heirs of deceased Indian allottees	$62,000.00	$62,000.00		$62,000.00	$59,000.00	$3,000.00	$59,000.00
17	Probate attorneys, Five Civilized Tribes	37,000.00	37,000.00		37,000.00	34,500.00	2,500.00	34,500.00
18	Expenses of Indian commissioners	15,000.00	15,000.00		15,000.00	12,000.00	3,000.00	12,000.00
19	Surveying and allotting Indian reservations	50,000.00	35,000.00		35,000.00	35,000.00		35,000.00
20	Surveys, etc., Pueblo lands, New Mexico			$5,000.00	5,000.00	5,000.00		5,000.00
21	Advertising sale of Indian lands					500.00		500.00
22	Counsel for Pueblo Indians of New Mexico	3,700.00	3,700.00		3,700.00	3,700.00		3,700.00
23	Sale of unallotted lands, etc., Five Civilized Tribes	10,000.00	10,000.00		10,000.00	10,000.00		10,000.00
24	Sale of lands, Five Civilized Tribes, Oklahoma [3]	25,000.00	25,000.00		25,000.00	25,000.00	(5)	
25	Purchase of land, Fort Apache Reservation	6,200.00	6,200.00		6,200.00	6,200.00		6,200.00
26	Purchase of lands, for landless Indians, California	8,000.00	8,000.00		8,000.00	5,000.00	3,000.00	8,000.00
27	Purchase of lands, Choctaw of Mississippi	6,500.00	6,500.00		6,500.00	6,500.00		6,500.00
28	Compensation to certain Pueblos, New Mexico	135,381.37	135,381.37		135,381.37	135,381.37		135,381.37
29	Land for Santo Domingo Pueblo	1,000.00	1,000.00		1,000.00	(*)		
30	Purchase of lands for Navajo Indians	200,000.00	200,000.00		200,000.00	200,000.00		200,000.00
31	Relief of dispossessed Nisqually Indians (reappropriation)							
32	Payment to Kiowa, Comanche, and Apache Indians	200,000.00	200,000.00		200,000.00	200,000.00		200,000.00
33	Industrial work and care of timber	650,000.00	450,000.00	200,000.00	650,000.00	435,000.00	215,000.00	435,000.00
34	Expenses incidental to sale of timber	250,000.00	250,000.00		250,000.00	210,000.00	40,000.00	210,000.00
35	Emergency authorization for forest-fire fighting (authorization)							
36	Insect-control work, Klamath Reservation	25,000.00	25,000.00		25,000.00	25,000.00		25,000.00
37	Supervision of mining operations by Geological Survey	86,000.00	86,000.00		86,000.00	75,000.00	11,000.00	75,000.00
38	Industry among Indians	400,000.00	300,000.00	100,000.00	400,000.00	375,000.00	25,000.00	450,000.00
39	Clearing, etc., of land, Pima Reservation [6]	200,000.00	200,000.00		200,000.00		200,000.00	(6)
40	Industrial assistance, Tesuque Pueblo	600.00	600.00		600.00	600.00	600.00	600.00
41	For noxious weed control	25,000.00	25,000.00		25,000.00		25,000.00	
42	Employment of home demonstration agents			100,000.00	100,000.00		100,000.00	
43	Improving homes of restricted Indians			250,000.00	250,000.00		250,000.00	
44	Industrial assistance, tribal funds	315,000.00	215,000.00		215,000.00	215,000.00		869,479.60
45	Water supply for stock	46,500.00	51,500.00		51,500.00	38,500.00	13,000.00	45,100.00
46	Water supply for stock, tribal funds	88,000.00	88,000.00		88,000.00	88,000.00		88,000.00
47	Domestic water supply, Zuni Pueblo [7]	6,600.00	6,600.00		6,600.00	6,600.00		
48	Irrigation, Indian reservations	270,450.00	188,650.00		188,650.00	167,000.00	21,650.00	160,000.00
49	Irrigation, Pima Indian land	13,000.00	13,000.00		13,000.00	13,000.00		5,000.00
50	Irrigation project, Gila River Reservation, Ariz	750,000.00	250,000.00	500,000.00	750,000.00	500,000.00	250,000.00	500,000.00
51	Irrigation system, Colorado River	23,000.00	23,000.00		23,000.00	18,000.00	5,000.00	18,000.00
52	Ganado irrigation project	3,000.00	3,000.00		3,000.00	3,000.00		3,000.00
53	San Xavier irrigation project	2,000.00	2,000.00		2,000.00	2,000.00		2,000.00
54	San Carlos pumping plant	10,000.00	10,000.00		10,000.00	7,000.00	3,000.00	7,000.00
55	Irrigation of Indian lands, Yuma project, Calif	33,800.00	33,800.00		33,800.00	33,800.00		33,800.00
56	Fort Hall Project, Idaho	30,000.00	30,000.00		30,000.00	28,500.00	1,500.00	28,500.00
57	Reclamation of Kootenai allotment	5,700.00	5,700.00	108,300.00	114,000.00	114,000.00		114,000.00
58	Reimbursement to R. E. Hansen	2,480.65	2,480.65		2,480.65	2,480.65		2,480.65
59	Fort Belknap irrigation system	20,000.00	20,000.00		25,000.00	20,000.00	5,000.00	15,000.00
60	Drainage Sac and Fox lands, Iowa							10,000.00
61	Irrigation system, Flathead Reservation, Mont	250,000.00	25,000.00	225,000.00	250,000.00		250,000.00	
62	Fort Peck irrigation system	5,000.00	5,000.00		5,000.00	5,000.00		3,000.00
63	Blackfeet irrigation system	20,000.00	20,000.00		20,000.00	18,000.00	2,000.00	18,000.00
64	Crow irrigation system	1,000.00	1,000.00		1,000.00	1,000.00		1,000.00
65	Pyramid Lake irrigation system	4,000.00	4,000.00		4,000.00	4,000.00		4,000.00
66	Drainage of Paiute lands, Newlands project	11,461.00	11,461.00		11,461.00	11,461.00		11,461.00
67	Irrigation system, Laguna Pueblo	3,000.00	3,000.00		3,000.00	3,000.00		3,000.00
68	Hogback project, New Mexico	10,000.00	10,000.00		10,000.00	10,000.00		10,000.00
69	Flood control, Pueblos of New Mexico (authorization)							
70	Payment to middle Rio Grande conservancy district	300,000.00		300,000.00	300,000.00		300,000.00	
71	Klamath irrigation project, tribal funds	6,000.00	6,000.00		6,000.00	5,000.00	1,000.00	5,000.00
72	Spillway and drainage ditch, Lake Andes, S. Dak	48,612.76	48,612.76		48,612.76	48,612.76		
73	Drainage ditch across land of R. A. Ogee	1,486.00		1,486.00	1,486.00		1,486.00	
74	Irrigation system, Uintah Reservation	20,000.00	20,000.00		20,000.00	5,000.00	15,000.00	5,000.00
75	Toppenish, Simcoe irrigation system	1,000.00	1,000.00		1,000.00	1,000.00		1,000.00
76	Maintenance of Yakima Reservoir, Washington	11,000.00	11,000.00		11,000.00	11,000.00		11,000.00
77	Diversion Dam, etc., Yakima Reservation, Wash	1,000.00	1,000.00		1,000.00		1,000.00	
78	Satus irrigation project	2,000.00	2,000.00		2,000.00	1,000.00	1,000.00	1,000.00
79	Operation, Lummi diking project	1,000.00	1,000.00		1,000.00	1,000.00		
80	Wind River irrigation project	20,000.00	20,000.00		20,000.00	5,000.00	15,000.00	5,000.00
81	Indian schools, support	3,051,000.00	2,937,500.00		2,937,500.00	2,850,000.00	87,500.00	2,850,000.00
82	Indian schools, support, tribal funds	850,000.00	750,000.00		750,000.00	850,000.00		850,000.00
83	Education, Five Civilized Tribes, tribal funds	231,500.00	231,500.00		231,500.00	250,000.00		250,000.00
84	Indian school, transportation	100,000.00	100,000.00		100,000.00	90,000.00		90,000.00
85	Indian school, buildings	600,000.00	275,000.00	490,900.00	765,900.00	425,000.00	340,900.00	640,000.00
86	Furniture and equipment for dormitories			250,000.00	250,000.00		250,000.00	
87	Enlarging Western Navajo Boarding School	300,000.00		300,000.00	300,000.00	125,000.00	175,000.00	
88	Seminole Indian Boarding School plant	195,000.00		195,000.00	195,000.00		195,000.00	
89	Warm Springs Boarding School plant	127,000.00		127,000.00	127,000.00		127,000.00	
90	Remodeling White Earth Boarding School (trust fund) [8]			40,000.00	40,000.00			
91	Support of White Earth Orphan School [8]			70,000.00	70,000.00			
92	Flood protection, San Juan School, N. Mex	30,000.00	30,000.00		30,000.00		30,000.00	
93	Purchase of dairy cows for schools [9]	100,000.00	75,000.00		75,000.00	25,000.00	50,000.00	
94	Student loan fund	50,000.00		50,000.00	50,000.00		50,000.00	
95	Repair, etc., public school buildings, Arizona							25,000.00
	Indian boarding schools							
96	Fort Mojave, support	57,500.00	65,000.00		65,000.00	65,000.00		65,000.00
	Repairs and improvements	15,000.00	15,000.00		15,000.00	15,000.00		15,000.00
	Addition to school building	17,000.00		17,000.00	17,000.00		17,000.00	
	Addition to hospital	6,000.00	6,000.00		6,000.00	6,000.00		6,000.00
	New warehouse	7,000.00		7,000.00	7,000.00		7,000.00	7,000.00
	Domestic science cottage	4,000.00		4,000.00	4,000.00		4,000.00	
	Lavatory annexes	6,400.00		6,400.00	6,400.00	6,400.00		6,400.00
97	Phoenix, Ariz., support	256,500.00	237,500.00		237,500.00	237,500.00		[10] 243,750.00
	Repairs and improvements	35,000.00	35,000.00		35,000.00	25,000.00	10,000.00	25,000.00
	Hospital and equipment	65,000.00	65,000.00		65,000.00	65,000.00		65,000.00
	Ammonia compressor	4,000.00		4,000.00	4,000.00	4,000.00		4,000.00
	New school building	25,000.00		25,000.00	25,000.00		25,000.00	
98	Truxton Canon, support	60,750.00	58,500.00		58,500.00	55,900.00	2,600.00	55,900.00
	Repairs and improvements	12,000.00	12,000.00		12,000.00	10,000.00	2,000.00	10,000.00
	Employees' cottage	3,000.00		3,000.00	3,000.00		3,000.00	
	New concrete reservoir	2,500.00		2,500.00	2,500.00		2,500.00	
	Enlarging ice plant	2,500.00		2,500.00	2,500.00		2,500.00	
	Light and power plant	10,000.00		10,000.00	10,000.00		10,000.00	
99	Theodore Roosevelt School, support	121,500.00	117,000.00		117,000.00	117,000.00		117,000.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	20,000.00		20,000.00

Footnotes at end of table.

Comparative statement preliminary, regular, and supplemental estimates fiscal year 1930—Continued

No.	Title	Preliminary	Regular	Supplemental	Total of columns 2 and 3	Budget allowance	Reductions	Allowed by Congress
	Indian boarding schools—Continued							
100	Sherman Institute, support	$270,000.00	$250,000.00		$250,000.00	$250,000.00		$250,000.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	18,000.00	$2,000.00	18,000.00
	Tractors and printing-office equipment	3,000.00		$3,000.00	3,000.00		3,000.00	
101	Fort Bidwell, support	30,000.00	28,500.00		28,500.00	28,500.00		28,500.00
	Repairs and improvements	8,000.00	8,000.00		8,000.00	8,000.00		8,000.00
	Physician's cottage	5,000.00		5,000.00	5,000.00		5,000.00	
	Heating system for dormitories	6,500.00		6,500.00	6,500.00		6,500.00	
102	Haskell Institute, support	256,500.00	237,500.00		237,500.00	212,500.00	25,000.00	[11] 225,000.00
	Repairs and improvements	27,000.00	27,000.00		27,000.00	27,000.00		27,000.00
	Remodeling engineering plant	25,000.00		25,000.00	25,000.00	25,000.00		25,000.00
	Remodeling chapel	18,000.00		18,000.00	18,000.00		18,000.00	
	Girls' dormitory and gymnasium	70,000.00		70,000.00	70,000.00		70,000.00	
	Purchase of land	20,000.00		20,000.00	20,000.00		20,000.00	20,000.00
	Slug-casting machine	5,500.00		5,500.00	5,500.00		5,500.00	
103	Mount Pleasant School, support	101,250.00	97,500.00		97,500.00	97,500.00		97,500.00
	Repairs and improvements	15,000.00	15,000.00		15,000.00	15,000.00		15,000.00
	Additional employees' quarters	7,000.00		7,000.00	7,000.00		7,000.00	
	Boiler house, etc	10,000.00		10,000.00	10,000.00	10,000.00		10,000.00
	New boiler		3,000.00		3,000.00	3,000.00		3,000.00
	New hospital	35,000.00						
	Repairs to hospital		10,000.00		10,000.00	10,000.00		10,000.00
	Physician's cottage	4,500.00		4,500.00	4,500.00		4,500.00	
104	Pipestone School, support	81,000.00	78,000.00		78,000.00	78,000.00		78,000.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	20,000.00		20,000.00
	Hospital	50,000.00		50,000.00	50,000.00		50,000.00	
	Gymnasium	30,000.00		30,000.00	30,000.00		30,000.00	
105	Genoa School, support	135,000.00	130,000.00		130,000.00	130,000.00		130,000.00
	Purchase of land	50,000.00	50,000.00		50,000.00	50,000.00		50,000.00
	Dairy barn	4,500.00		4,500.00	4,500.00	4,500.00		4,500.00
	Repairs and improvements	21,000.00	21,000.00		21,000.00	18,000.00	3,000.00	18,000.00
106	Carson School, support	135,000.00	130,000.00		130,000.00	117,000.00	13,000.00	117,000.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	18,000.00	2,000.00	18,000.00
	Boys' dormitory	50,000.00		50,000.00	50,000.00		50,000.00	
	Purchase of land	30,000.00		30,000.00	30,000.00		30,000.00	
107	Albuquerque School, support	243,000.00	225,000.00		225,000.00	212,500.00	12,500.00	212,500.00
	Repairs and improvements (employees' quarters)	25,000.00	25,000.00		25,000.00	{ 15,000.00 5,000.00	5,000.00	{ [12] 15,000.00 [12] 5,000.00
	Dairy barn, etc	10,000.00		10,000.00	10,000.00	10,000.00		10,000.00
	Employees' quarters	30,000.00		30,000.00	30,000.00		30,000.00	
	Library	30,000.00		30,000.00	30,000.00		30,000.00	
108	Santa Fe School, support	135,000.00	130,000.00		130,000.00	130,000.00		130,000.00
	Repairs and improvements	18,000.00	18,000.00		18,000.00	15,000.00	3,000.00	15,000.00
	Boiler house	24,000.00		24,000.00	24,000.00		24,000.00	
	New boilers	25,000.00		25,000.00	25,000.00		25,000.00	
	Repairs to school building	10,000.00		10,000.00	10,000.00		10,000.00	
109	Charles H. Burke School, support	189,000.00	175,000.00		175,000.00	150,000.00	25,000.00	150,000.00
	Repairs and improvements	25,000.00	25,000.00		25,000.00	22,000.00	3,000.00	22,000.00
	Dairy barn	15,000.00		15,000.00	15,000.00	10,000.00	5,000.00	10,000.00
	Livestock	15,000.00		15,000.00	15,000.00	10,000.00	5,000.00	10,000.00
	Industrial building	40,000.00		40,000.00	40,000.00		40,000.00	
110	Cherokee School, support	108,000.00	104,000.00		104,000.00	104,000.00		104,000.00
	Repairs and improvements	16,000.00	16,000.00		16,000.00	10,000.00	6,000.00	10,000.00
	Horse barn	3,000.00		3,000.00	3,000.00	3,000.00		3,000.00
	Home-economics building	4,000.00		4,000.00	4,000.00		4,000.00	
	Central heating plant	25,000.00		25,000.00	25,000.00		25,000.00	
111	Bismarck School, support	37,500.00	35,625.00		35,625.00	35,625.00		35,625.00
	Repairs and improvements	7,000.00	7,000.00		7,000.00	7,000.00		7,000.00
	Employees' quarters	4,750.00		4,750.00	4,750.00	4,750.00		4,750.00
112	Fort Totten School, support	67,500.00	65,000.00		65,000.00	65,000.00		65,000.00
	Repairs and improvements	18,000.00	18,000.00		18,000.00	15,000.00	3,000.00	15,000.00
	Hospital and physician's cottage	50,000.00						
	Remodeling hospital			15,000.00	15,000.00	15,000.00		22,000.00
113	Wahpeton School, support	87,750.00	84,500.00		84,500.00	84,500.00		84,500.00
	Repairs and improvements	25,000.00	25,000.00		25,000.00	10,000.00	15,000.00	10,000.00
	Home-economics cottage	8,000.00		8,000.00	8,000.00		8,000.00	
	Addition to dairy barn	4,800.00		4,800.00	4,800.00	4,000.00	4,800.00	4,000.00
	Lignite-burning equipment	6,000.00		6,000.00	6,000.00	6,000.00		6,000.00
	Recondition steam lines	6,500.00			6,500.00	6,500.00		6,500.00
	Purchase of land							8,500.00
114	Chilocco School, support	229,500.00	212,500.00		212,500.00	212,500.00		212,500.00
	Repairs and improvements	25,000.00	25,000.00		25,000.00	20,000.00	5,000.00	20,000.00
	Print-shop equipment	10,000.00		10,000.00	10,000.00		10,000.00	
	2 dormitories	159,000.00		159,000.00	159,000.00		159,000.00	
115	Sequoyah Training School, support	81,000.00	78,000.00		78,000.00	78,000.00		78,000.00
	Repairs and improvements	15,000.00	15,000.00		15,000.00	15,000.00		15,000.00
	Central heating plant	65,000.00		100,000.00	100,000.00		100,000.00	
	Gymnasium and equipment	35,000.00		55,000.00	55,000.00		55,000.00	
	Boys' dormitory			78,000.00	78,000.00		78,000.00	
	Employees' quarters	15,000.00		7,500.00	7,500.00		7,500.00	
	Office building	3,350.00		5,000.00	5,000.00		5,000.00	
	Superintendent's cottage	5,400.00		5,000.00	5,000.00		5,000.00	
	Commissary building	8,000.00		7,500.00	7,500.00		7,500.00	
	Laundry building	5,000.00		12,000.00	12,000.00		12,000.00	
	Diesel engine	4,000.00		4,000.00	4,000.00		4,000.00	
	School building	15,000.00		15,000.00	15,000.00		15,000.00	
	3 employees' cottages	22,500.00		22,500.00	22,500.00		22,500.00	
	Addition to girls' dormitory	8,000.00		8,000.00	8,000.00		8,000.00	
	Addition to dining hall	5,000.00		5,000.00	5,000.00		5,000.00	
	Addition to auditorium	15,000.00		15,000.00	15,000.00		15,000.00	
	Addition to hospital	15,000.00		15,000.00	15,000.00		15,000.00	
	Addition to small boys' dormitory	6,000.00		6,000.00	6,000.00		6,000.00	
	Addition to domestic-science cottage			5,000.00	5,000.00		5,000.00	
	Addition to dairy barn			2,000.00	2,000.00			
116	Bloomfield Seminary, support	48,000.00	45,600.00		45,600.00	45,600.00		45,600.00
	Repairs and improvements	7,000.00	7,000.00		7,000.00	7,000.00		7,000.00
117	Euchee School, support	34,500.00	32,775.00		32,775.00	32,775.00		32,775.00
	Repairs and improvements	7,500.00	7,500.00		7,500.00	7,000.00	500.00	7,000.00
118	Eufaula School, support	37,500.00	35,825.00		35,525.00	35,625.00		35,625.00
	Repairs and improvements	8,000.00	8,000.00		8,000.00	8,000.00		8,000.00
	Dining hall and kitchen	15,000.00		15,000.00	15,000.00	15,000.00		15,000.00

Footnotes at end of table.

Comparative statement preliminary, regular, and supplemental estimates fiscal year 1930—Continued

No.	Title	Preliminary	Regular	Supplemental	Total of columns 2 and 3	Budget allowance	Reductions	Allowed by Congress
	Indian boarding schools—Continued							
119	Salem School, support	$243,000.00	$225,000.00		$225,000.00	$225,000.00		$141,500.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	20,000.00		20,000.00
	Boys' dormitory	70,000.00		$70,000.00	70,000.00	70,000.00		70,000.00
	New boilers	25,000.00		25,000.00	25,000.00	25,000.00		25,000.00
120	Flandreau School, support	108,000.00	104,000.00		104,000.00	104,000.00		104,000.00
	Repairs and improvements	20,000.00	20,000.00		20,000.00	15,000.00	$5,000.00	15,000.00
	Hospital and equipment	50,000.00		35,000.00	35,000.00	35,000.00		35,000.00
	Domestic-science cottage	7,000.00		7,000.00	7,000.00		7,000.00	
121	Pierre School, support	81,000.00	78,000.00		78,000.00	78,000.00		78,000.00
	Repairs and improvements	12,000.00	12,000.00		12,000.00	12,000.00		12,000.00
	Enlargement, repairs, and other improvements	187,750.00		212,750.00	212,750.00	35,000.00	177,750.00	35,000.00
122	Hayward School, support	52,500.00	49,875.00		49,873.00	43,800.00	4,293.00	48,000.00
	Repairs and improvements	10,000.00	10,000.00		10,000.00	10,000.00		10,000.00
	Hospital			35,000.00	35,000.00		35,000.00	50,000.00
123	Tomah School, support	94,500.00	91,000.00		91,000.00	84,500.00	6,500.00	84,500.00
	Repairs and improvements	15,000.00	15,000.00		15,000.00	12,000.00	3,000.00	12,000.00
	Enlarging employees' building	9,500.00		9,500.00	9,500.00		9,500.00	
	Gymnasium	30,000.00		30,000.00	30,000.00		30,000.00	30,000.00
	Employees' cottage	3,500.00		3,500.00	3,500.00	3,500.00		3,500.00
	Septic tank	3,500.00		3,500.00	3,500.00	3,500.00		3,500.00
	Hospital	40,000.00		40,000.00	40,000.00		40,000.00	
124	Rapid City School, support	87,750.00	84,500.00		84,500.00	80,600.00	3,900.00	[11] 94,600.00
	Repairs and improvements	14,000.00	14,000.00		14,000.00	14,000.00		
	Addition to hospital	20,000.00		20,000.00	20,000.00		20,000.00	
	Additional land	15,000.00		15,000.00	15,000.00		15,000.00	
	Laundry equipment	3,000.00		3,000.00	3,000.00		3,000.00	
	Addition to employees' building	7,500.00		7,500.00	7,500.00		7,500.00	
	Remodeling home-economics building	3,000.00		3,000.00	3,000.00		3,000.00	
125	Fulfilling treaties with Navajoes	100,000.00	75,000.00		75,000.00		75,000.00	
126	Public-school tuition, Chippewas in Minnesota	35,000.00	35,000.00		35,000.00	35,000.00		35,000.00
127	Support of Chippewas of the Mississippi	4,300.00	4,300.00		4,300.00	4,000.00	300.00	4,000.00
128	Education, Osage Nation	9,000.00	8,300.00		8,300.00	8,000.00	300.00	8,000.00
129	Aid of common schools, Five Civilized Tribes	300,000.00	250,000.00		250,000.00	175,000.00	75,000.00	250,000.00
130	Education, Sioux Nation	410,000.00	315,000.00		315,000.00	310,000.00	5,000.00	310,000.00
131	Aid of public schools, Utah	6,000.00	6,000.00		6,000.00	6,000.00		6,000.00
132	Conservation of health	2,891,515.00	2,777,560.00	850,000.00	3,627,560.00	2,280,000.00	1,347,560.00	2,658,600.00
133	Hospitals, Chippewas of Minnesota	100,000.00	100,000.00	55,000.00	155,000.00	140,000.00	15,000.00	140,000.00
134	Repairs, etc., Kiowa hospital	20,000.00	20,000.00		20,000.00	[14] 60,000.00	[14] 40,000.00	
134a	Keshena, support							20,000.00
135	Canton Asylum, South Dakota, support	44,500.00	48,500.00		48,500.00	48,500.00		48,500.00
	Epileptic cottage	40,000.00	40,000.00		40,000.00		40,000.00	
	Horse barn	6,000.00	6,000.00		6,000.00	4,500.00	1,500.00	4,500.00
136	Support of Indians and administration of Indian property	975,000.00	950,000.00		950,000.00	900,000.00	50,000.00	925,000.00
137	Fulfilling treaties with Indians	510,050.00	609,870.00		609,870.00	603,560.00	6,310.00	603,560.00
138	Support of Quapaw Agency	16,000.00	16,000.00		16,000.00	16,000.00		16,000.00
139	Miscellaneous supports (tribal funds)	1,465,100.00	1,465,000.00		1,465,000.00	1,465,000.00		1,437,500.00
140	Support of Chippewas of Minnesota	62,000.00	65,000.00		65,000.00	65,000.00		80,000.00
141	Expenses per capita payments, Five Civilized Tribes	5,000.00	5,000.00		5,000.00	5,000.00		5,000.00
142	Support of Osage Agency	180,000.00	180,000.00		180,000.00	180,000.00		180,000.00
143	Oil and gas operations, Osage Agency	80,000.00	80,000.00		80,000.00	80,000.00		80,000.00
144	Expenses, Osage Tribal Council	10,000.00	10,000.00		10,000.00	10,000.00		10,000.00
145	Expenses of litigation, Choctaw-Chickasaw							30,000.00
146	Expenses of litigation, Seminole							5,000.00
147	Confederated Bands of Utes, support	123,000.00	123,000.00		123,000.00	123,000.00		123,000.00
148	Roads and bridges, Red Lake Reservation	15,000.00	15,000.00		15,000.00	15,000.00		15,000.00
149	Roads on Indian reservations	250,000.00	250,000.00		250,000.00	250,000.00		250,000.00
150	Construction of bridges Menominee Reservation	6,000.00	6,000.00		6,000.00	6,000.00		6,000.00
151	Monument in Hitchcock County, Nebr	7,500.00	7,500.00		7,500.00	7,500.00		7,500.00
152	Fulfilling treaties with Senecas	6,000.00	6,000.00		6,000.00	6,000.00		6,000.00
153	Fulfilling treaties with Six Nations	4,500.00	4,500.00		4,500.00	4,500.00		4,500.00
154	Fulfilling treaties with Choctaws	10,520.00	10,520.00		10,520.00	10,520.00		10,520.00
155	Fulfilling treaties with St. Croix Chippewas	10,000.00	10,000.00		10,000.00	10,000.00		10,000.00
	Total Treasury appropriations	22,651,008.78	16,601,035.78	6,138,886.00	22,819,921.78	16,141,990.78	6,666,781.00	16,726,128.02
	Deduct Indian boarding school differentials		70,000.00		70,000.00	75,875.00		89,525.00
	Net total Treasury appropriations	22,651,008.78	16,611,035.78	6,138,886.00	22,749,921.78	16,066,115.78	6,666,781.00	16,636,603.02
	Total tribal funds	3,978,400.00	3,880,600.00	165,000.00	4,045,600.00	4,051,800.00	34,900.00	4,598,779.60
	Grand total all funds	26,629,406.78	20,491,635.78	6,503,886.00	26,795,521.78	20,117,915.78	6,701,681.00	21,235,382.62

[a] Consolidated with No. 28.
[1] Consolidated.
[2] $43,500 increase.
[3] $78,000 increase.
[4] Consolidated with No. 9.
[5] Consolidated with support and civilization.
[6] Consolidated with No. 28.
[7] Consolidated with No. 45.
[8] Consolidated with No. 82.
[9] Consolidated with No. 81.
[10] 25 more pupils.
[11] 50 more pupils.
[12] Employees' quarters segregated.
[13] Transferred to conservation of health.
[14] Transferred from gratuity funds.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. BRATTON. What disposition has been made of Order of Business 1823?

The PRESIDENT pro tempore. On objection of the Senator from Ohio [Mr. FESS] it has been passed over.

Mr. WHEELER. Mr. President, I wish the Senator from Ohio would withdraw his objection. Let me say to the Senator from Ohio, and to these other Senators who have just spoken about this matter, that the Senate committee has had this investigation going on for something like six months. I have not the time to answer the criticisms that have been made, but I want to say to the Senate that if these bills are passed, I propose to answer the explanation made by the Senator from Arizona and the Senator from Oklahoma.

The committee has taken testimony, and there are three volumes of the testimony which the committee has taken. We did send investigators out, because there have been more complaints coming to the Committee on Indian Affairs by reason of what has been going on in the Indian Service than as to almost any other department of the Government.

When it is remembered that the Indian Bureau has under its charge something like a billion six hundred thousand dollars and 250,000 Indians in the United States, and that there has not been any real investigation conducted into that branch of the service, and that the Indians are dying off on various Indian reservations throughout the country, it seems to me that the Senate ought to be willing to make an appropriation of $15,000, so that we might complete the investigation which has already been started.

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

Mr. WHEELER. I yield.

Mr. FESS. After listening to statements of a Member of the Senate who I think knows as much about Indian Affairs as any man in this Chamber, namely, the Senator from Oklahoma [Mr. THOMAS], I want to look into this matter further. I am not going to withdraw the objection now, but I may the next time the resolution is reached on the calendar.

Mr. WHEELER. Let me say to the Senator from Arizona and to the Senator from Ohio——

Mr. HEFLIN. Let us have the regular order.

The PRESIDENT pro tempore. The regular order is demanded. The Senator from Montana has the floor.

Mr. WHEELER. And I propose to keep it and to speak for five minutes.

Mr. HEFLIN. That is all right.

Mr. WHEELER. Mr. President, the Senator from Arizona said that witnesses have not been confronted with attorneys and have not been given an opportunity to be cross-examined. That is only partially true. It is true, as I understand it, that when the Senator from North Dakota [Mr. FRAZIER] and the Senator from Oklahoma [Mr. PINE] and a few other members of the committee were out in the State of Washington, some witnesses were called before them and no one was there to cross-examine, but ever since the committee has been in session here in the city of Washington the Commissioner of Indian Affairs, Mr. Burke, has sat in the committee room, has had his counsel there, has cross-examined witnesses, and has interrupted witnesses. He not only did that, but he came before the committee and then flamboyantly gave to the press of the country a statement charging that one Member of the Senate, the Senator from Oklahoma [Mr. PINE], was in a conspiracy to injure not only himself but the Indian Service of the country. We called him and asked him to prove those charges. There was not a scintilla of evidence produced, but there has been a determined effort on the part of the Commissioner of Indian Affairs to stop the investigation by one means or another ever since it began.

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

Mr. WHEELER. Certainly.

Mr. COPELAND. Is there any notion on the part of the Senator that it is unwise to go forward with the investigation?

Mr. WHEELER. None whatever.

Mr. COPELAND. If the Indian Bureau is above all suspicion, as we assume it is, nevertheless the bureau itself ought to be willing and glad to have the investigation. For my part I want to say to the Senator that I think there should be a sweeping investigation of the activities of the bureau in order that the public may know how the Indian properties are cared for. We find evidences of disease among the various tribes, and it is important that we should have such a thorough investigation as to enable us to determine whether the Congress is doing its full duty in relation to Indian affairs.

Mr. WHEELER. I thank the Senator from New York.

Let me say in closing that during the investigation which is being conducted we have the spectacle of the Commissioner of Indian Affairs and the Assistant Commissioner of Indian Affairs constantly lobbying among Senators and talking to them with reference to the investigation. The investigation has been conducted fairly and honestly and decently, and there has not been any attempt on the part of anybody to do anything except to try to find out if the Congress of the United States should enact some further legislation that would be beneficial to the Indians. I say to the Senator from Ohio——

Mr. FESS. Mr. President, I will say to the Senator from Montana that I would be very willing to cooperate with him along the lines he has suggested. I do not want to withdraw my opposition now in view of the statement made by the Senator from Arizona. I would like to look into the matter.

Mr. WHEELER. What statement has been made by the Senator from Arizona?

Mr. FESS. The Senator from Montana heard the statement of the Senator from Arizona.

Mr. WHEELER. Yes; I heard the statement, and nothing in opposition has been stated by the Senator from Arizona, who has looked into the matter himself and does not object.

The PRESIDENT pro tempore. The time of the Senator from Montana has expired.

Mr. EDGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from New Jersey will state the inquiry.

Mr. EDGE. What is the business before the Senate?

The PRESIDENT pro tempore. The Senate is about to consider Calendar 1824.

Mr. EDGE. Why not the unfinished business?

The PRESIDENT pro tempore. Because the unanimous-consent agreement provided for two hours on the calendar and we did not reach the Calendar until 11.15. The Clerk will report the next bill on the Calendar.

The resolution (S. Res. 308) continuing until the end of the first regular session of the Seventy-first Congress, Senate Resolution No. 79, authorizing a general survey of Indian conditions, was announced as next in order.

Mr. HAYDEN. Mr. President, reserving again the right to object, though I do not intend to do so, I desire to address the Senate on the resolution just stated.

Mr. GEORGE. Mr. President, it is quite evident this matter can not be considered now, and I hope the Senator will not consume the entire calendar time by further discussion of a resolution which seems to be in controversy among some of the Senators.

Mr. HAYDEN. I assure the Senator so far as I am concerned that the resolution may pass, but I desire to occupy five minutes.

Mr. GEORGE. The Senator has that right, but he has already consumed and there has been consumed quite a good deal of calendar time when it was perfectly obvious that Senators were wrangling among themselves over the merits or demerits of the question.

The PRESIDENT pro tempore. Does the Chair understand the Senator from Georgia to object?

Mr. GEORGE. No; I do not object. I express a hope.

Mr. HAYDEN. Mr. President, I have no objection to the passage of the resolution in its present form, but I desire to inquire of the chairman of the Committee on Indian Affairs [Mr. FRAZIER] whether he intends to press an amendment which he offered to the resolution which continues the committee indefinitely? The amendment to which I refer was printed on January 26 last, and states that the committee is authorized to sit and act at such times and places as it may see fit through the Seventieth Congress and succeeding Congresses.

Mr. FRAZIER. Mr. President, I will say to the Senator that the proposed amendment was withdrawn. The time has just been extended through the first session of the Seventy-first Congress.

Mr. HAYDEN. Then I offer the following amendment to the resolution.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 5, insert the following proviso:

Provided, That any officer or employee of the Bureau of Indian Affairs whose official conduct may be under investigation by such committee shall have the right to appear before the committee in person or by counsel and cross-examine all witnesses appearing before the committee.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Arizona.

Mr. BRATTON. Mr. President, before the resolution is adopted I desire to address myself to it briefly. I have no objections to the investigation of the Bureau of Indian Affairs. I think proper investigation looking to defects in the administration of the bureau, if any there be, with a view of correcting those defects by evolving a better system of administering the affairs of the Indians as to life and property, is a step in the right direction. I now make no criticism of the committee. I do think, however, that those who are assailed in the course of the inquiry should have the right to appear and defend themselves as provided in the amendment just adopted.

Soon after the investigation got under way certain self-styled uplifters of the Indians throughout the country manifested a deep interest in the matter. I think they are exercising entirely too much power and too many prerogatives in connection with the Indians' affairs. I think some of these so-called uplifters are detrimental instead of helpful to the Indians.

Under date of January 26, last, a member of this committee inserted in the RECORD an article which had previously appeared in the current issue of the magazine Good Housekeeping, under the title "The Cry of a Broken People." In that article criticisms were directed against Indian conditions throughout the country; that is to say, in practically every State where Indians live and reside. Criticism was directed against two of the Indian schools in my State, one located at Santa Fe and the other at Albuquerque. Acting in the belief that this criticism reflected upon the people of the two cities mentioned, I immediately requested the Governor of the State of New Mexico to head a committee to investigate the Indian school at Santa Fe. He did so. The committee wired a telegraphic report of his investigation and followed it with a detailed report. I have the message and the report here. I also requested the

mayor of the city of Albuquerque to head a like committee to investigate the school at Albuquerque. That was done. I have a copy of the report here. Two or three other schools in the State of New Mexico were investigated as a result of the ill-considered and fallacious criticism, which I think rests largely upon imagination.

I desire at this point to have these data respecting the several schools in New Mexico thus examined printed in the RECORD. These are excellent schools and are doing a splendid work among the Indians.

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

The data referred to are as follows:

SANTA FE, N. MEX., *January 30, 1929.*

Hon. SAM G. BRATTON,

United States Senator, Washington, D. C.:

Committee consisting of Gov. R. C. Dillon, Dr. G. S. Luckett, director of State bureau of public health, and E. Dana Johnson, editor of Santa Fe New Mexican, spent four hours at United States Indian industrial school here to-day; examined entire plant and questioned superintendent, many employees, and pupils. Will forward detailed report by mail to-morrow. Food found abundant, clean, and of good variety and check of individual weight charts which are kept on all pupils shows steady gain in weight. Clothing found adequate, warm, and of good quality. Pupils receive hospital care with resident physician and trained nurse and new building under construction will afford improved modern hospitalization. Disease apparently under good control. There are now 42 cases of trachoma which physician and nurse say is decrease of 25 per cent during school year and 8 per cent of enrollment. Report all precautions taken to prevent spreading in school. There was one tubercular case this year according to physician, who says it was removed to hospital at Laguna. No jail could be found and superintendent and disciplinarian say pupils are never locked up. Sleeping accommodations appear clean and adequate with exception of some crowding in two rooms of girls' dormitory. Found no evidence of overwork of pupils. Cleanliness, sanitation, ventilation, and general living conditions found good. No pupils made complaints and children appeared contented, normal, happy, and healthy.

R. C. DILLON.
E. DANA JOHNSON.
G. S. LUCKETT.

REPORT ON INVESTIGATION OF UNITED STATES INDIAN INDUSTRIAL SCHOOL AT SANTA FE, N. MEX., ON JANUARY 29, 1929

At the request of Hon. SAM G. BRATTON, United States Senator from New Mexico, and of Hon. Edgar L. Meritt, Assistant Commissioner of Indian Affairs, transmitted through Superintendent Burton L. Smith, of the Indian school, the undersigned committee of citizens visited and inspected the United States Indian Industrial School at Santa Fe, spending four hours at the institution on January 29, 1929, examining the buildings and questioning the superintendent, employees, and numerous pupils. Following this investigation the committee sent the following telegram to United States Senator BRATTON:

"Committee, consisting of Gov. R. C. Dillon, Dr. G. S. Luckett, director of State bureau of public health, and E. Dana Johnson, editor of the Santa Fe New Mexican, spent four hours at United States Indian Industrial School here to-day, examined entire plant and questioned superintendent, many employees, and pupils. Will forward detailed report by mail to-morrow. Food found abundant, clean, and of good variety, and check of individual weight charts which are kept on all pupils shows steady gain in weight. Clothing found adequate, warm, and of good quality. Pupils receive hospital care with resident physician and trained nurse, and new building under construction will afford improved modern hospitalization. Disease apparently under good control. There are now 42 cases of trachoma, which physician and nurse say is a decrease of 25 per cent during school year and 8 per cent of enrollment. Report all precautions taken to prevent spreading in school. There was one tubercular case this year, according to physician, who says it was removed to hospital at Laguna. No jail could be found, and superintendent and disciplinarian say pupils are never locked up. Sleeping accommodations appear clean and adequate, with exception of some crowding in two rooms of girls' dormitory. Found no evidence of overwork of pupils. Cleanliness, sanitation, ventilation, and general living conditions found good. No pupils made complaints, and children appear contented, normal, happy, healthy.

"R. C. DILLON.
"G. S. LUCKETT.
"E. DANA JOHNSON."

The committee herewith makes the following more detailed report:

FOOD

The quality of food as observed was generally good, excepting three pieces of beef that were strong. The flour was good, with no evidence of insects or mice. There is attached to this report as Exhibit A sample menus, furnished by the superintendent. These are prepared, he says, two weeks in advance. They indicate reasonably good balance, but are rather monotonous. More green vegetables and raw fruit are desirable. Milk furnished is about one-third of desirable quantity, including that used in cooking. Storage facilities for meat, flour, and canned stuff are good; others were not observed.

The management gave the cost of food as about 18 cents per capita daily, at Government contract rate, which is much lower than retail prices. This does not include transportation costs, which are not charged against the school. This would probably be equivalent to 40 cents daily at retail prices.

The chief clerk stated that the school is allowed $25,000 per year for general food supply, in addition to which $10,000 worth of vegetables and milk is raised on the grounds and $4,000 worth of hogs annually. The dairy, he stated, yields 30 to 35 gallons of milk daily; it is desired to increase the milk supply to 1 quart per day per pupil, but there is not money enough to increase the dairy herd to this extent. The chief clerk also states that 150 pounds of dried milk is consumed weekly, equivalent to 600 pounds of liquid milk. Consumption of flour is twenty-five 100-pound sacks per week. He said the school obtained beef at 15 cents a pound, dried fruit at 6½ cents, bacon at 17 cents, and cheese at 22 cents, these prices being averages.

We observed in the kitchen a large washtub over half filled with waste bread left from the breakfast table. All bread is served in large slices about 1 inch thick. Both white and whole-wheat bread are served. The kitchen appeared clean and the food properly handled. A new bakery is under construction.

NUTRITION OF PUPILS

Practically all pupils were observed, and the committee was present when the noon meal was served. All pupils, so far as we could see in such a short time, had a healthy, well-nourished appearance, full of vitality and spirits, and playful as normal children anywhere.

Dr. J. F. Lane, resident physician, Superintendent Smith, Chief Clerk Vaughn, and Principal Anderson state that the children are all weighed once a month. The weight records of about 200 were inspected, and with very few exceptions showed uniform gain. A sample chart is attached as Exhibit B. Doctor Lane stated that any who do not show gain are given cod-liver oil three times a day and milk twice a day in addition to meals; that these pupils are checked up daily and made to come to the hospital for oil and milk. Dr. H. J. Warner, of the United States Pulbic Health Service, and now in charge of Indian medical service in this region, confirms these statements.

CLOTHING

All the children were well clothed and none appeared to be suffering from the cold. The chief clerk stated that outside workers are provided with gloves and overshoes for protection. Clean clothing from the laundry and that in storage was inspected and adjudged of excellent quality. The girls have woolen dresses and the boys heavy woolen suits for dress; the girls also have woolen capes. Both appeared to have sweaters or coats for ordinary wear. The underwear was of excellent quality, medium weight, full length, and would probably retail for approximately $1.75 per suit. The shoes appeared to be of good quality. Those boys who have the money and prefer to buy their own clothes instead of wearing the school clothing are allowed to do so, the superintendent states. In the room of the pupil, Fernando Romero, were two extra suits of clothes and a pair of silk socks which the matron in charge said his father had sent him. Most all the pupils keep their clothes in individual lockers.

HEALTH

Doctor Lane, who resides at the school and cares for near-by pueblos, is in good professional standing, being a member of the Santa Fe County Medical Society and of the American Medical Association. The hospital is in an old building and accommodates 36 patients; it is clean and sanitary. A new building under construction as a hospital will accommodate 75 beds and will be open to the Indians of the pueblos as a general hospital. The old building will then be converted into domestic science and assembly quarters.

Doctor Lane and Miss Beckner, R. N., chief nurse, state that 42 cases of trachoma are now under treatment. The treatment outlined is that usually followed—grattage, silver nitrate, argyrol, etc. The doctor stated that the number of trachoma cases in the school had been reduced 25 per cent since the opening of school last fall. A conjunctivitis list is made out at the beginning of the term, he said. Only three trachoma cases were observed on casual inspection. The doctor stated that all cases have separate seats and books in school and that seats are cleaned regularly with lysol solution.

All pupils have their own towels and the supply is ample. The doctor said that one throat-tuberculosis case was found in the school last fall and sent to the hospital at Laguna. There have been no pulmonary cases, and there are no known tuberculars among the pupils now. Doctor Lane stated that all pupils are examined on admission and again during the school year, and that at any time children showing elevation of temperature are hospitalized for observation. The chief nurse said that hospital admissions average about 20 weekly for all causes, including observation.

During the recent influenza outbreak there were 300 cases in the school, with no pneumonias or deaths resulting, the doctor and nurse stated.

All washrooms are equipped with cabinets filled with clean towels. The towels are withdrawn from a slot in the bottom. Soiled towels are dropped through slots in the top into locked containers, which is a very good arrangement.

There are ample washing and bathing facilities for all. Washing is done only in running water. The matron states that each pupil is required to take a weekly bath, and may have one oftener if desired. Disciplinarian Robertson supervises the boys' baths. The water supply from the city of Santa Fe is of excellent sanitary quality and under regular State supervision. Sanitary drinking fountains were observed. Sewage disposal is through septic tanks. General cleanliness obtains throughout all quarters. We observed that the girls' toothbrushes are kept in individual slots in a glass case.

Disciplinarian and matron inspect all quarters daily and superintendent inspects quarters and departments once a month. Matron and disciplinarian inspect the bodies of all pupils weekly. Bedtime is 9.30 for older pupils and 7 for young ones.

A new, commodious, well-ventilated gymnasium has been completed recently.

DISCIPLINE

The superintendent and disciplinarian both stated that corporal punishment and jailing are not practiced and that pupils are never locked up.

Fernando Romero, a pupil, and the disciplinarian both confirmed a report of an encounter between them in which the disciplinarian slapped the pupil. They agreed that the punishment was aggravated by the insolence of Romero, who left school when finally asked whether or not he intended to obey the rules. He later returned voluntarily, although 21 years of age and therefore not required to stay. He says he likes the school and would rather stay there than go home; that he probably deserved the punishment. The disciplinarian says that Romero, one of the officers of the student body, is an exemplary pupil now in every respect. Romero said he knew of no other similar case of punishment, and never heard of any pupil being tied to a bed or locked up, since the present disciplinarian took charge.

FORCIBLE REMOVAL OF CHILDREN TO SCHOOL

The superintendent said that Indian parents prefer to have their younger children in the boarding school until they are old enough to herd goats or do other work, and related an incident of parents who left a 6-year-old girl at the school against his orders. The child had to be returned to her home by the school authorities, he said. He stated that only the agency superintendent has power to compel a child to go to the boarding school; and that on a trip to Puertecito and Cañoncito, N. Mex., to bring in pupils, he could have brought twice as many as the 50 he did bring, if he had listened to the pleas of the parents who insisted on sending them. The matron told of one girl who, she said, wanted to stay at the school during the summer because the work at home was too hard. The superintendent said day schools through the fourth grade are provided in the pueblos, and through the sixth grade at Taos, and that all will include the sixth grade this year or next, according to present plans.

LABOR

Apparently all the girls are employed in successive details in the laundry, sewing rooms, and kitchen. The superintendent says the system desired is for the pupil to give one-fourth of time to detail work and three-fourths to school. This is not yet true in all cases. The boys work in the dairy and shoe and tailor shops, on the farm, handling coal, carpentering, etc. The superintendent says the boys do small chores in the morning, work from 7.30 to 11.30 a. m., have half an hour for recreation before and after the noon meal, school from 1 to 4 p. m., and out at 4 for rest and recreation. The laundry is equipped with the latest machinery, which is well protected, and we saw no evidence of overwork among the girls here or in the sewing rooms. It is probably true that the girls do not receive much training in ordinary home laundry, excepting ironing. The pupils are robust in appearance and do not look as if they were overworked.

BOYS' DORMITORIES

Two dormitories are in use for the boys; one an old building, which is used only in part, the other new this year and fully modern in every respect. All rooms were inspected and found clean, well kept, and well ventilated. The greatest number in one room is 20, with good separation between beds. Not all the space in this building is yet required. We were told that it accommodates 212 pupils and now contains 168. Wash rooms and toilets were all found to be clean and adequate; there are ample reading rooms and locker rooms, rooms for storage of clothing, students' luggage, etc. The matron of this building said that 8,000 towels were bought for this dormitory alone. There are two commodious guest rooms. Occupants of small rooms accommodating two boys each are allowed to fix up the rooms to suit themselves. In one we observed pie and apples sent in by relatives of the boys.

GIRLS' DORMITORY

The girls' dormitory is an old building. The management of the school said requests for a new one had not yet been granted. Four glass-inclosed, well-ventilated, and not overcrowded sleeping porches have 28 to 36 beds each, with small sitting rooms opening off the porches. One room, about 33 by 40 feet in size, contains 35 beds, much too crowded, and the 7 windows in this room hardly give enough ventilation. Two other rooms about the same size contain 24 and 25 beds, respectively, with about the same ventilation as the 35-bed room; the ventilation may be sufficient for the smaller number of beds.

Fire escapes in this building, from the second floor, do not appear to be quickly accessible from all rooms, considering the crowded condition.

A small playroom in the basement of this building has two windows painted so that the light is insufficiently admitted; however, climatic conditions are such that children may play out of doors practically all winter. On the ground floor is a large recreation room, well furnished, with piano, and the matron says that after 4.30 p. m. the girls sing, dance, and play in this room daily.

GENERAL

The superintendent and employees welcomed the committee cordially and conducted it all over the place, with entire freedom of inspection and to question pupils privately.

Superintendent Smith informed the committee that about $225 per year is allowed for maintenance of each pupil; that the average enrollment is 500 and the present enrollment 550.

It will be clear that this report is based only on what the committee could observe in one full day's inspection and applies only to the Santa Fe Indian School.

R. C. DILLON,
Governor of New Mexico.
G. S. LUCKETT, M. D.,
State Director of Public Health of New Mexico.
E. DANA JOHNSON,
Editor Santa Fe New Mexican.

EXHIBIT A

MENUS—DECEMBER 30, 1928, TO JANUARY 5, 1929, SANTA FE INDIAN BOARDING SCHOOL

Sunday

Breakfast: Fruit, creamed eggs, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, sweet potatoes, bread, scalloped corn, and apple pie.

Supper: Chili con carne, mashed potatoes, bread, pickles, and gingerbread.

Monday

Breakfast: Oatmeal and milk, bacon and gravy, bread, and coffee.

Dinner: Boiled dinner, raw carrots, bread, and fruit.

Supper: Beans with hominy, tomatoes, corn bread, tea, and milk.

Tuesday (New Years Day)

Breakfast: Rice with raisins, stew, bread, coffee, and cereal.

Dinner: Roast pork, apple sauce, mashed potatoes, fried cabbage, pickles, hot rolls, coffee, and spice cake.

Supper: Sliced meat, scalloped potatoes, raw carrots, bread, fruit, and cocoa.

Wednesday

Breakfast: Fruit, milk toast, bread, sirup, coffee, and cereal.

Dinner: Hamburger, tomatoes, potatoes, coleslaw, bread, and bread pudding.

Supper: Beef in gravy, baked potatoes, whole-wheat bread, pickles, and cocoa.

Thursday

Breakfast: Cracked wheat, hot rolls, butter, coffee, and cereal.

Dinner: Roast beef, gravy, potatoes, beets, raw onions and cabbage, cereal, and pudding.

Supper: Spanish rice (boys), split-pea soup (girls), hard bread, corn bread, and fruit or tomatoes.

Friday

Breakfast: Fruit, eggs with bacon, bread, sirup, coffee, and cereal.

Dinner: Beef stew, dumplings, slaw with carrots, bread, and bread pudding.

Supper: Creole macaroni, bread, raw onions, cinnamon rolls, and cocoa.

Saturday

Breakfast: Fruit, stew, bread, sirup, coffee, and cereal.

Dinner: Roast beef, dressing, potatoes, split peas, bread, and pudding.

Supper: Beans, hash, bread, cocoa, and gingerbread.

MENUS, JANUARY 6–13, 1929, SANTA FE INDIAN BOARDING SCHOOL

Sunday

Breakfast: Oatmeal with raisins, boiled eggs, butter, bread, sirup, coffee, and cereal.

Dinner: Roast pork, dressing, sweet potatoes, creamed cabbage, rolls, pickles, and spice cake.

Supper: Beans with hominy, hash, bread, cocoa, and peaches.

Monday

Breakfast: Fruit, milk toast, bread, sirup, coffee, and cereal.

Dinner: Beef stew with dumplings, slaw with carrots, potatoes, bread, and rice pudding.

Supper: Sliced meat, macaroni with tomatoes, corn bread, tea, milk, and fruit.

Tuesday

Breakfast: Cracked wheat, sugar, fried potatoes, bread, sirup, coffee, and cereal.

Dinner: Roast pork, gravy, mashed potatoes, carrots and peas, bread, and cereal pudding.

Supper: Spanish rice (girls), split-pea soup (boys), hard bread, bread, and fruit.

Wednesday

Breakfast: Fruit, meat in gravy, bread, sirup, coffee, and cereal.

Dinner: Liver and onions, potatoes, scalloped corn, raw carrots, bread, and fruit.

Supper: Meat stew, baked potatoes, whole-wheat bread, tomatoes, and cocoa.

Thursday

Breakfast: Hominy, sugar, milk, hot rolls, butter, coffee, and cereal.

Dinner: Boiled dinner, coleslaw, bread, and bread pudding.

Supper: Beans with bacon and onions, hash, corn bread, pickles, and fruit.

Friday

Breakfast: Fruit, eggs and bacon, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, potatoes, beets, fried cabbage, fruit, and bread.

Supper: Macaroni and cheese, raw carrots, cinnamon rolls, cocoa, and bread.

Saturday

Breakfast: Oatmeal, milk, stew, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, potatoes, scalloped tomatoes, bread, pickles, and pudding.

Supper: Beans, hash, raw onions, bread, cocoa, and fruit.

MENUS, JANUARY 13, 1929, TO JANUARY 20, 1929, SANTA FE INDIAN BOARDING SCHOOL

Sunday

Breakfast: Fruit, creamed eggs, bread and butter, coffee, and cereal.

Dinner: Roast beef, dressing, sweet potatoes, carrots and peas, rolls, pickles, and bread pudding.

Supper: Chili con carne, potatoes, bread, tomatoes, spice cake.

Monday

Breakfast: Cracked wheat, milk, bacon and gravy, bread, sirup, coffee, and cereal.

Dinner: Boiled dinner, coleslaw, bread, cereal, and pudding.

Supper: Beans with hominy, hash, cocoa, corn bread, and fruit.

Tuesday

Breakfast: Fruit, milk toast or stew, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, mashed potatoes, fried cabbage, raw carrots, bread, and fruit.

Supper: Meat soup (boys), Creole macaroni (girls), hard bread, bread, cinnamon rolls, and tomatoes.

Wednesday

Breakfast: Oatmeal, sugar, milk, hot rolls, butter, coffee, and cereal.

Dinner: Liver and onions, scalloped corn, boiled rice, raw onions, bread, and fruit.

Supper: Meat and gravy, baked potatoes, whole-wheat bread, cocoa, and doughnuts.

Thursday

Breakfast: Fruit, stew, bread, sirup, coffee, and cereal.

Dinner: Beef stew, dumplings, slaw with carrots, bread, and rice pudding.

Supper: Beans with chili, potatoes, corn bread, sirup, pickles, and cocoa.

Friday

Breakfast: Hominy, milk, scrambled eggs, bread, sirup, coffee, and cereal.

Dinner: Roast pork, apple sauce, potatoes, turnips, coleslaw, bread, and pudding.

Supper: Chili con carne, rice, whole-wheat bread, gingerbread, and fruit.

Saturday

Breakfast: Oatmeal, sugar, fried potatoes, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, mashed potatoes, scalloped tomatoes, bread, and fruit.

Supper: Beans, hash, raw carrots, bread, cocoa, and fruit.

MENUS, JANUARY 20–27, 1929, SANTA FE INDIAN BOARDING SCHOOL

Sunday

Breakfast: Fruit, boiled egg, bread, butter, coffee, and cereal.

Dinner: Roast pork, dressing, sweet potatoes, scalloped corn, rolls, slaw with carrots, and apple pie.

Supper: Sliced meat, scalloped potatoes, pickles, bread, peaches, and cocoa.

Monday

Breakfast: Cracked wheat, sugar, milk toast, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, mashed potatoes, fried cabbage, bread, cereal, and pudding.

Supper: Creole macaroni, raw onions, cocoa, corn bread, sirup, and fruit.

Tuesday

Breakfast: Fruit, fried potatoes, bread, sirup, coffee, and cereal.

Dinner: Beef stew, dumplings, coleslaw, whole-wheat bread, and rice pudding.

Supper: Beans with hominy and chili, bread, pickles, tomatoes, and cinamon rolls.

Wednesday

Breakfast: Oatmeal, sugar, milk, meat in gravy, bread, sirup, coffee, and cereal.

Dinner: Hamburger, tomatoes, potatoes, succotash, bread, and fruit.

Supper: Chili con carne, baked potatoes, bread, cocoa, and fruit.

Thursday

Breakfast: Fruit, hominy with bacon, bread, sirup, coffee, and cereal.

Dinner: Roast pork, dressing, mashed potatoes, scalloped tomatoes, bread, and fruit.

Supper: Meat soup (girls), hash (boys), hard bread, carrots, corn bread, and fruit.

Friday

Breakfast: Oatmeal, milk, creamed eggs, bread, butter, coffee, and cereal.

Dinner: Boiled dinner, coleslaw, bread, and bread pudding (choc.).

Supper: Sliced meat, potatoes, pickles, bread, cocoa, and gingerbread.

Saturday

Breakfast: Fruit, meat stew, bread, sirup, coffee, and cereal.

Dinner: Roast pork, apple sauce, mashed potatoes, creamed cabbage, bread, and pudding.

Supper: Beans with chili and bacon, raw carrots, cocoa, and fruit.

MENUS, JANUARY 27 TO FEBRUARY 2, 1929, SANTA FE INDIAN BOARDING SCHOOL

Sunday

Breakfast: Fruit, scrambled eggs, bread, butter, coffee, and cereal.

Dinner: Roast beef, dressing, sweet potatoes, tomatoes, pickles, rolls, and spice cake.

Supper: Chili con carne, mashed potatoes, slaw with carrots, bread, cocoa, and fruit.

Monday

Breakfast: Oatmeal, milk toast, bread, sirup, coffee, and cereal.

Dinner: Beef stew, rice, boiled cabbage, bread, and bread pudding.

Supper: Meat soup (boys), Spanish rice (girls), hard bread, corn bread, fruit, and sirup.

Tuesday

Breakfast: Fruit, meat in gravy, bread, sirup, coffee, and cereal.

Dinner: Roast beef, potatoes, whole-wheat bread, tomatoes and pudding.

Supper: Beans with bacon, bread, raw onions, tomatoes, and cocoa.

Wednesday

Breakfast: Cracked wheat, hot biscuits, sirup, coffee, and cereal.

Dinner: Liver and onions, mashed potatoes, succotash, bread, and fruit.

Supper: Meat and gravy, baked potatoes, pickles, bread, fruit, tea, and milk.

Thursday

Breakfast: Fruit, fried potatoes, bread, sirup, coffee, and cereal.

Dinner: Boiled dinner, coleslaw, bread, and rice pudding.

Supper: Sliced meat, hash, cocoa, corn bread, and tomatoes.

Friday

Breakfast: Fruit, hominy and bacon, bread, sirup, coffee, and cereal.

Dinner: Roast pork, dressing, potatoes, raw carrots, bread, and fruit.

Supper: Creole macaroni, coleslaw, bread, cocoa, and cinnamon rolls.

Saturday

Breakfast: Oatmeal, sugar, milk, meat stew, bread, sirup, coffee, and cereal.

Dinner: Roast beef, gravy, mashed potatoes, bread, turnips, chocolate, and bread pudding.

Supper: Beans with chili, raw carrots, bread, cocoa, and fruit.

EXHIBIT B

YEARLY RECORD OF WEIGHTS OF PUPILS

(To be made part of permanent school record)

For the school term beginning 19— and ending 19—

.....School
(Name) (Day or boarding)

....., *Superintendent.*

Each pupil must be accurately weighed at least once each month, and the weight recorded on this form. All who lose in weight, or whose weight remains stationary, should be referred to the physician for a thorough physical examination and further observation. The physician, after inspecting this record, should place his initials each month at the foot of the column in the place indicated

Name of pupil	Age	Sex		Weight on entrance	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.
		M.	F.													
I hereby certify that I have examined the above record.																
Initials of physician																
Date of his examination of record																

FEBRUARY 9, 1929.

Hon. R. C. DILLON, *Governor.*
Dr. S. G. LUCKETT, *Director of Public Health.*
Hon. E. DANA JOHNSON, *editor New Mexican, Santa Fe, N. Mex.*

GENTLEMEN: Please allow me to express my deep appreciation for the expeditious and thorough manner in which you conducted the examination of the Indian school at Santa Fe to determine whether the facts stated by Miss Connelly in her article recently published in Good Housekeeping were true.

Your telegram under date of the 29th ultimo, as well as the report made on the 2d instant, reached me in due time. At my request, a similar investigation was conducted at the Indian school in Albuquerque. I understand it has been completed, but the report has not arrived. As soon as it reaches me I shall insert both reports in the CONGRESSIONAL RECORD and take occasion to make some observations on the floor of the Senate regarding the subject matter. It is my belief that we in New Mexico have just cause to deplore the obvious recklessness with which Miss Connelly wrote, so far as the two schools in question are concerned.

With renewed good wishes and kind personal regards to each of you, I am,

Cordially yours,

——— ———.

UNITED STATES DEPARTMENT OF THE INTERIOR,
INDIAN FIELD SERVICE,
Zuni Agency, Zuni, N. Mex., February 5, 1929.

Hon. SAM G. BRATTON,
United States Senate, Washington, D. C.

DEAR SENATOR BRATTON: I am sending you an open letter with reference to that article by Vera L. Connelly in the Good Housekeeping Magazine which was printed in the CONGRESSIONAL RECORD. This letter is sent you, as I know you are very much interested in having a statement of the true conditions given for any of the Indian agencies or Indian reservations in New Mexico.

This reference to Zuni is so unfair that I have felt it my duty to answer this with a statement as to the actual conditions existing here. You are privileged to make any use of this letter you may wish.

Thanking you for your interest and assistance in all matters pertaining to the work here, I am,

Sincerely yours,

G. A. TROTTER, *Superintendent.*

[Inclosure]

UNITED STATES DEPARTMENT OF THE INTERIOR,
INDIAN FIELD SERVICE,
Zuni Agency, Zuni, N. Mex., February 5, 1929.

Senator SAM G. BRATTON,
United States Senate, Washington, D. C.

DEAR SENATOR BRATTON: Appearing in the CONGRESSIONAL RECORD of January 26, 1929, is the article of Vera L. Connelly, from the Good Housekeeping Magazine entitled "The Cry of a Broken People." The following paragraph from the article has reference to Zuni conditions: "At Zuni, in the home of the pueblo governor, while I listened to a story of contaminated drinking water, dysentery, and a reservation doctor who would not pay visits to sick Indians, I saw a young mother anxiously looking into the face of the terribly sick baby in her arms. The child was covered with a scabby disease." Such a statement is eminently unfair as the writer could have investigated and found that the river contamination had been corrected by the construction of sewer lines and septic tanks; that a deep well had been drilled, which although inadequate for all domestic purposes of the Indians, affords much more water than they use, and that plans were being made for the drilling of another deep well at Zuni. The pueblo governor, perhaps, failed to point out to this writer an $8,000 bathhouse with hot and cold water, where as many as 300 adult Indians avail themselves of the opportunity of taking free baths weekly, and where every encouragement is offered all the Indians of the pueblo to make use of this privilege. The pueblo governor, perhaps, failed to inform the writer that the agency physician had a dispensary in the village to which he makes trips every morning, and from there drives over the village calling upon the sick, and volunteering his services—which are more often refused than accepted—in a village where about 1 in 5 is a medicine man or medicine woman. The governor might have informed her that there were six telephones in different parts of the village, all connected with the physician's office, and that this governor had been instructed to advise all of the Zunis that a call at any time during the day or night would receive immediate attention.

The governor surely failed to tell this woman of Miss Duggan, the field nurse of the eastern association, a conscientious, tireless worker who lives among the Zunis, and spends her time in house to house visitations for their relief. By inquiry, she could have found that the scabby disease she noted in her visit is caused by the mother—it may be by direction of a medicine woman—placing wood ashes on the face of her new-born child, and that the physician and field nurse are making every effort to stop this custom. If this writer had but looked out from the limousine in which it is supposed she made the trip to Zuni, she would have seen many of these "broken people" riding in their own automobiles. Had she inquired as to their destination, they might have advised her that they were looking after some of the 40,000 sheep owned by them, or were harvesting their crops of corn, wheat, alfalfa, or garden produce—made possible by an expenditure of $280,758, the initial cost of an irrigation dam constructed for them by a generous Government.

She surely could have inquired of the pueblo governor about the school facilities afforded the poor Zunis. She could have looked over the sanatorium school where 80 undeveloped and undernourished Zuni children receive proper food and care, and where in less than 3 per cent of the cases, after three months' care, may leave the institution overweight. If she had cared to inquire with reference to the cost of this school, she would have been advised that more than $60,000 had been expended in converting the boarding school plant into a sanatorium, and that the meals for the institution were costing more than three times the 11 cents per day "hokum" she mentions in this article. While at the governor's home, if she had looked to the north, she would have seen one of the best-equipped day school plants in the service, where more money has been expended by the Government for the betterment of the Indian than these so-called "uplifters" ever have, or ever will expend for this purpose. Across the fence from this Government day school is the Catholic Indian School, representing an expenditure of $40,000, while just to the south of the river the Christian Reformed Society has expended an equal amount upon a school and hospital, and where adult Indians may receive hospitalization under a trained nurse when they can be persuaded to go there. If all of this article as truthfully portrays conditions on other reservations as at Zuni, it certainly reflects great credit upon the magazine which published it. * * *

Very truly yours,

G. A. TROTTER, *Superintendent.*

FEBRUARY 9, 1929.

Mr. G. A. TROTTER,
Zuni, N. Mex.

DEAR MR. TROTTER: I thank you very much for your letter under date of the 5th instant, respecting the article written by Vera L. Connelly, entitled "The Cry of a Broken People," which was published in the current issue of Good Housekeeping Magazine and inserted in the CONGRESSIONAL RECORD on the 26th of last month.

At my request investigations have been made of the Indian schools at Albuquerque and Santa Fe. A report upon the Santa Fe school is on my desk. I am awaiting the one from Albuquerque. Your letter, containing valuable data in regard to the Zuni situation, will be very helpful. I desire to secure all possible relevant data. Acting upon the permission given I shall make appropriate use of your letter.

With personal regards, I am,

Sincerely yours,

ALBUQUERQUE, N. MEX., *February 11, 1929.*

Hon. E. B. MERITT,
Assistant Commissioner Indian Affairs, Washington, D. C.

SIR: In accordance with your recent telegrams to Supt. Reuben Perry and also to Supt. Lem A. Towers, of the Indian pueblos, the following persons were named on a committee to investigate the conditions of the Albuquerque Indian school and Indian day schools and pueblos. Personnel of the committee:

Hon. Clyde Tingley, mayor of the city of Albuquerque, N. Mex., chairman.

Mrs. George Ruoff, president New Mexico Federated Women's Clubs.

Mrs. Max Nordhaus, chairman of the Indian welfare committee of the New Mexico Federated Women's Clubs.

J. R. Guild, post commander of the Hugh A. Carlisle Post, No. 13, of the American Legion.

Dr. James R. Scott, county health officer of Bernalillo County, N. Mex.

M. E. Hickey, former judge of the district court of Bernalillo County, N. Mex.

Your committee held meetings on six different days. It had before it for interrogation 11 employees, including the superintendent, 4 persons not employees, and 27 pupils. Statements made by these persons have been transcribed into the record and are submitted herewith, together with this, your committee's report.

While your committee investigated generally, it stressed particularly the following questions:

(a) Food: To see if the pupils really go hungry.

(b) Clothing: To see if pupils have enough clothing for comfort.

(c) Punishment: To see if the punishment inflicted upon the pupil is in a cruel and inhuman manner.

(d) Health: To see if pupils received adequate medical care.

Your committee personally inspected the school, school rooms, dormitories, laundry, hospital, kitchen, and dining room, and reports them all in good condition and well managed.

FIRST, AS TO THE QUESTION OF FOOD

We found on file in the office at the school copies of menus from 1924 down to the present time, and introduced several of the menus into the record, and especially all menus for the month of March, 1927.

There is a system in vogue at the school of weighing all pupils when they enter the school and then every month thereafter. If any are underweight, that pupil gets a special diet under the direction of the school doctor.

One boy stated that he does not get enough to eat; at the same time his weight shows that in November, when he entered the school, he weighed 132¾ pounds, in December he weighed 136 pounds, and on February 7, 1929, he weighed 134 pounds. On February 5, he stated to the committee that his last weight, taken only a short time previous, was 130 pounds. The difference between 130 pounds—his weight, according to his statement taken a short time before February 5—and 134 pounds, his weight taken February 7, shows a considerable improvement in weight in a very short time, to say the least.

The weight records show an increase in weight of practically all pupils during the first three or four months after entering school in the fall.

Statements of both employees and pupils convince your committee that no pupils ever need go from the dining room hungry—good food is there and may be had for the asking.

From the statements cited and from other statements in the record forwarded herewith—especially the statements of the Rev. M. F. Cronin, a Catholic priest, and the Rev. Thomas D. New, a Baptist preacher—your committee unanimously and unhesitatingly finds, and so reports, that the pupils of the Albuquerque Indian School have enough to eat at all times.

SECOND, AS TO THE QUESTION OF CLOTHING

Your committee also reports that the pupils have enough clothing and bed clothing to keep them comfortable in all kinds of weather.

THIRD, AS TO THE QUESTION OF PUNISHMENT

While the committee was making its investigation word from an anonymous source was received to the effect that certain boys were severely punished by the disciplinarian on the 5th day of November, 1928. We followed the matter up by having those certain boys appear before us, and from their statements and also from the statements of the disciplinarian himself your committee finds that seven or eight boys were paddled on the naked flesh with the rubber sole of a hospital slipper.

Your committee can see that these boys may have "ganged up" to break the rules and have often left the grounds without permission to attend dances and that a few of them were drunk at different times, and had thus sorely taxed the patience of the school authorities, for said authorities seemed to have exhausted practically every means at their command for controllong this group of boys; your committee believes that a severe punishment was justly their due, but we can not approve of humiliating said boys in the way it was done in this isolated case. Your committee wishes to state further this is the only instance it was able to find where such punishment was ever inflicted.

Your committee asked for a statement from Mrs. Hickson, the head matron, regarding punishment of girls and also discussed that question with some of the girls, and reports that it has no criticism whatever to give of punishment inflicted upon girls, but commends the treatment received by the girls from Mrs. Hickson and other matrons.

FOURTH, AS TO THE QUESTION OF HEALTH

From a personal inspection of the hospital and the testimony of Doctor Richard, the school physician, and other employees your committee is convinced that the health of the pupils is carefully guarded and there is splendid and adequate supervision in this matter.

The two copies of bulletins of the American Indian Defense Association (Inc.) at the last of the records submitted herewith were put in as part of Superintendent Perry's statement to the committee.

Your committee wishes to state further that neither Mr. Perry nor any other employees other than the stenographer was present at any of the hearings of the committee and no pupil or employee was required to make a statement in his presence.

Your committee reports further that on the 31st day of January, 1928, it held a meeting in the living room of the girls' building at the Albuquerque Indian School with the governors, lieutenant governors, and interpreters of the pueblos of Laguna, Acoma, San Felipe, Santa Ana, Zia, Jemez, Sandia, and Isleta; there were 23 persons who made statements to your committee at this meeting where representatives of every pueblo were heard. We inquired particularly of these representatives as to their flocks, Government schools, teachers, doctors, nurses, and school buildings; we went further and asked if they, the representatives of said pueblo, had ever heard complaints against the Albuquerque Indian School made by pupils of that school or by the parents of such pupils.

One pueblo, that of San Felipe, complains about the condition of the bridge across the Rio Grande. Superintendent Towers stated that a requisition had already been made for funds to fix it.

The Sandia representative stated that they had recently—about two weeks ago—asked for a school building for that pueblo. Superintendent Towers stated that he had already recommended the building of the schoolhouse to the Indian Office and had asked authority to condemn a site.

Aside from the request for the repairs for bridge and the building of schoolhouse, your committee elicited nothing but praise from the governors, lieutenant governors, and other representatives of said pueblos.

Mrs. Reeble, a nurse at Jemez, employed by the New Mexico Association of Indian Affairs, made statements to the committee which shows conclusively close cooperation between her in the work she is doing and the Albuquerque School and also of the close cooperation and help rendered her by the school doctor and nurse.

Your committee finds that there is no dissatisfaction on the part of any of the pueblos with the treatment they are receiving from the Government, but, on the other hand, that there is much of commendation of the Government's work by said pueblos, and we respectfully cite statements of all those who came before the committee for your careful consideration.

Respectfully submitted.

C. TINGLEY,
Chairman, Mayor City of Albuquerque.
MRS. GOORGE RUOFF,
President New Mexico Federated Women's Clubs.
MRS. MAX NORDHAUS,
Chairman Indian Welfare Committee of New Mexico Federated Women's Clubs.
JAS. RUSSELL GUILD,
Post Commander Hugh A. Carlisle Post No. 13, American Legion.
JAMES R. SCOTT,
County Health Officer of Bernalillo County.
M. E. HICKEY,
Former Judge District Court of Bernalillo County.

GALLUP, N. MEX., *February 13, 1929.*

Hon. SAM G. BRATTON,

United States Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I inclose herewith a report which we have been requested to submit to the respective chairmen of the Indian Affairs Committees of both Houses and to our delegation in Washington, with reference to the inspection that was made by the committee signing this report of the school, hospital, and sanatorium at Fort Defiance, Ariz.

I can truthfully say that there is no attempt made by this committee to "whitewash" the school or any of its affairs. We merely give the facts as they were apparent to us. Mrs. Brock is county school superintendent of McKinley County and is thoroughly familiar with school affairs. Mr. Bickel, as you personally know, is president of the W. M. Bickel Co., Indian traders, knows the Navajo for over 20 years, and his thoughts and condition. Mr. Bickel is also a member of the municipal school board of the town of Gallup. This is not the first inspection of this type that I have made, because during the year 1923, as Democratic floor leader of the State senate and a member of the finance committee, we made a number of trips of inspection through the various State institutions. Ordinarily a school or institution is "dressed up" for an inspection of this type, but the Fort Defiance school was not ready for this occasion, and was conducting its affairs in the usual manner.

The deplorable thing of the entire situation is that we are trying to civilize a nomadic, pastoral Navajo; bringing him up to the twentieth century civilized American, which may seem hopeless. He is given a meager education, or training in some industrial occupation, and then turned loose to go back to the hogan and the reservation and its blanket. The Government gives them some assistance after they leave school, but the assistance he receives is not the kind that is necessary to absorb him into public life or to push him into the world and meet the competition of the world, which would be far better training than taking him into the schools and then sending him back to the mountains or valleys on the reservation.

As I have written to you before, the urgent need is contact by the Indian with the rest of the world that requires primarily the establishment of employment agencies near the reservation so that employers of labor could go to this agency and employ Indians and the agency could furnish the employer with the Indians that he requires.

The Pueblo Indian, like the Laguna, is years ahead of the nomadic Navajo, due probably to his centralized life and domestication, but is no better workman than the Navajo. Here, we find, for example, the Santa Fe Railroad employs a number of Lagunas in its shops and roundhouses and is apparently satisfied with this type of labor. Other employers of labor say that the Navajo is a good workman, easy to handle, and when he is on the job the employer has no care with reference to housing his employee.

If the Government would establish a labor agency so that the Navajo, when he leaves either the reservation or the school, could find employment, and not be compelled to return to the reservation, it would accomplish more for the Navajo Indian than John Collier's Indian Defense Society ever will.

With kindest personal regards and hoping to see you in New Mexico soon after March 4, I am,

Yours very truly,

A. L. ZINN.

To the Chairman of the Senate Committee on Indian Affairs; to the Chairman of the House Committee on Indian Affairs; to Hon. S. G. Bratton, Hon. Bronson Cutting, Senators, and Hon. A. G. Simms, Congressman from New Mexico, Washington, D. C.:

We, the undersigned, were requested to serve as a committee by the officials in charge of the sanatorium, school, and hospital at Fort Defiance, State of Arizona, for the purpose of investigating the true conditions of affairs at this school, sanatorium, and hospital, and more especially with reference to the food, clothing, and treatment accorded to the children and other inmates at this school, sanatorium, and hospital.

This committee left Gallup Monday morning, February 11, 1929, and arrived at Fort Defiance for the purpose of making this investigation at 11.45 a. m. We were escorted through the main dining room immediately after 12 o'clock, at which time the children were eating their noonday meal. We found that there are at the present time 492 children. Each and every one of these are trachoma patients. This school being solely at the present time a trachoma school, which disease is prevalent among the Navajo Indians. The children at this school are sent from all parts of the Navajo Reservation and not confined exclusively to the southern jurisdiction. Other than the Navajos, we found there two Hopi and one Laguna Indian, making this exclusively a Navajo school, however.

We discovered the menu, which is hereto attached and made a part of this report, and which menu was prepared by the domestic-science teacher at the school on the Wednesday prior to our visit, and is submitted to the cook on the Friday prior to our visit for the week ensuing the preparation of said menu. The food that was served at the noonday meal to the children conformed to the menu outlined. We can state that the school was not "dressed" for our visit, and the meal was prepared according to the menu and not because of our expected visit, inasmuch as the menu was prepared without the expectation of our visit and the cook was not informed of our coming until the evening before we arrived. We found all the children sufficiently nourished and apparently progressing in physical strength considering their condition. Those that were underweight were kept at a separate table on a special diet, a copy of which special menu is hereto attached and made a part of this report. The children that were underweight were, in addition to being put on the separate diet, required to take an afternoon nap or rest, and we found them in their respective dormitories in the afternoon taking the required rest. We also found that the children had ample food and were permitted to eat all they reasonably care for.

An examination of the dormitories showed them to be clean and well kept, well lighted, with plenty of sunshine and properly ventilated. We also found that each bed was equipped with from three to five woolen blankets. The rooms were properly heated and on the day we were there it was one of the coldest days that this section has experienced, and no one complained of the lack of either covers at night or sufficient heat to keep them warm during all times they were in the dormitories.

We found that the children who were in the first three grades were not required to do any detail work with the exception of errands. The children of the upper grades, that is the fourth, fifth, and sixth grades, were assigned to detail duties. During the morning they were in the academic classrooms and in the afternoon in the industrial classrooms. The girls were instructed in domestic science, including sewing, mending, and the proper care of the home, and the boys were designated to work in the shoe and harness shop where they learned that trade, and in the carpenter work, farming, and some work in the laundry.

Here a digression should be made to state that the children were assigned to work which was in conformity with their physical capacity, inasmuch as most of these children in the fourth, fifth, and sixth grades are between the ages of 14 and 15 years.

The sanatorium, where the tuberculosis patients were kept, was exceptionally well suited with reference to sunshine and ventilation. All patients were well taken care of, and had their own kitchen, dining room, and the place was exceptionally clean.

The hospital contained 30 cots, and during our visit there were 36 patients in the hospital, which made the same crowded. The place was clean and apparently all patients were being well taken care of.

There is a new hospital just being completed at a cost of upwards of $50,000, which is a model of its kind, being exceptionally well built, and the large wards, as well as the small ones, are well ventilated, and when the furniture is installed and all equipment in place it will probably accommodate all that the institution ought to care for for a number of years.

This post attracts Navajos from all parts of the reservation and many come there for treatment who might well go to some hospital nearer their particular residence, but they prefer to come to Fort Defiance for treatment.

During the fiscal year ending June, 1928, there were 5,210 people, including the pupils in school, who were examined for trachoma at this post, and 2,338 of these were found positive. Including the trachoma examinations there were 19,386 patients given dispensary treatment or out-patient treatment during that year. The total number of Navajos within this particular jurisdiction are estimated at 12,852. The great number of examinations are due to the fact that the Indians from other jurisdictions come to this particular post for medical examinations and dispensary treatment.

The amount allotted to this particular jurisdiction for this fiscal year is $750,000, and an estimate is made by the officials that the amount expended for food per pupil is 42 cents. This expenditure, of course, is based upon the total cost, which includes the cost of hauling and freighting food from the nearest point of shipment, which is Gallup, N. Mex.

We are informed that the per capita expenditure for food at this point is greater than at other schools, due to the cost of the abovementioned hauling and freighting.

Two members of your committee are officials in school work; that is, Mrs. Brock, one member, is the county school superintendent of McKinley County, N. Mex., and Mr. Bickel, one of the undersigned, is a member of the municipal school board at Gallup, N. Mex. The total number of children in the county schools of McKinley County is approximately 1,200, and the total expenditure for maintenance of the county schools is approximately $80,000. Of the $750,000 allotted to the Fort Defiance jurisdiction, approximately $110,000 is spent for the education and care of less than 500 Indian pupils. This is merely given as a comparative cost for the committee to draw its own conclusions.

We found that the Indian children were apparently happy and satisfied; in fact, more satisfied at the school than on the reservation; that

they were given treatment equal to any other school of like type within the knowledge of the members of this committee. We found that all of the children were well and comfortably clothed. We found from statements of the officials and conversation with others, that none of the children were overworked or in any way suffered physical punishments. We found that the discipline was maintained not through corporal punishment but by depriving the culpable of certain social privileges.

Two members of your committee know the Navajo Indians, their tribal customs and mode of living for more than 20 years, and one member for approximately 4 years, and, with such knowledge of their environment and capacity to receive education and training, believe that the school at Fort Defiance is well managed, properly conducted, and that the care and treatment of these children is far superior to the treatment and care accorded to many others in like condition.

The statistical reports are in the file of the Indian Bureau, where the amount expended and the number of children administered to and cared for can be obtained by the committee, from which they can draw their own conclusions.

We would recommend that milk and eggs be provided in sufficient quantities for the children if a qualified dietician recommends it. It is not the amount of food that should be taken into consideration by the committee, as the question of the proper food sufficient to keep these children in a healthy condition, to be recommended by some responsible dietician, considering the origin and life of these children. The Navajos are not accustomed to milk from cows. They are accustomed to goat milk, and the meat they prefer is mutton, but that is not for the determination of this committee. The same might be said of the necessity of eggs for the children.

A great many of the employees in charge of the children are Indians, not necessarily of the same tride as the children, but nevertheless either full or part Indian blood, and have an understanding of their own people superior to the white man.

Respectfully submitted.

MRS. H. F. BROCK.
W. M. BICKEL.
A. L. ZINN.
(All of Gallup, N. Mex.)

GALLUP, N. MEX., *February 12, 1929.*

MENU, SOUTHERN NAVAJO SCHOOL, FEBRUARY 8, 1929, FOR WEEK FEBRUARY 9 TO 15, INCLUSIVE

Saturday

Breakfast: Oats, milk, prunes, bread, sirup, and coffee.

Dinner: Boiled beef and dumplings, stewed carrots, broad, sirup, and apples.

Supper: Spanish rice, apples, vegetable soup, peanut butter, and bread.

Sunday

Breakfast: Cornflakes, milk, raisins, bread, sirup, and coffee.

Dinner: Frankfurters and sauerkraut, baked beans, escalloped tomatoes, raisin bread, butter, cake, and baked apples.

Supper: Jelly, sandwiches, hard bread, apples, coffee, and cereal.

Monday

Breakfast: Oats, milk, bread, sirup, coffee, and apples.

Dinner: Mexican chili, escalloped corn, stewed prunes, butter, cake, and bread.

Supper: Macaroni, bacon, butter, cornbread, and stewed peaches.

Tuesday

Breakfast: Puffed wheat, milk, stewed raisins, bread, sirup, and coffee.

Dinner: Boiled beans and bacon, carrot-cabbage salad, bread, sirup, and potatoes.

Supper: Vegetable soup, escalloped corn, hard bread, peanut butter, and bread.

Wednesday

Breakfast: Whole wheat mush, milk, stewed figs, bread, sirup, and coffee.

Dinner: Roast meat, gravy, potatoes, stewed tomatoes, apples, and bread.

Supper: Macaroni, tomatoes, spiced applies, bread, ginger cake, and butter.

Thursday

Breakfast: Oats, milk, sirup, bread, coffee, and apples.

Dinner: Baked pork and beans, apples, stewed corn, bread, and sirup.

Supper: Minced meat and gravy, baked rice, steamed carrots, and corn bread.

Friday

Breakfast: Oats, milk, sirup, raisin bread, and coffee.

Dinner: Mexican chili, apples, steamed potatoes, broad, and rice pudding.

Supper: Hominy, bacon, stewed raisins, bread, and butter.

SPECIAL MENU FOR UNDERWEIGHTS

Breakfast: Hot cakes, sirup, hot cocoa, one egg each.

Dinner: Hot cocoa, soup, eggs, apple tart.

Supper: Hot cocoa, soup, biscuit, fruit.

Please serve this menu in addition to the regular menu, for example, if stewed raisins are on the regular menu, they should be served along with the special dishes on the diet tables, and the same is true with any other dish not included in the special list.

Separate tables will be arranged for the pupils recommended for special diet, and all underweight pupils will be grouped at these tables.

This special menu will be changed each week, and more often if the physician suggests.

C. T. HANCHEY, *Principal.*

That the diet may be varied, I would offer the following:

Egg-malted milk made up with evaporated milk.
Chocolate made up with evaporated milk.
Thick broths or soups made up with rice or hominy.
Bread or cracker with butter.
Cup cakes. Apples. Oranges.

EZRA A. LINES, M. D.

FEBRUARY 8, 1929.

GALLUP, N. MEX., *February 12, 1929.*

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEAR SIR: Upon request of Mr. Oscar B. Berkness, the senior clerk of the Eastern Navajo School at Crownpoint, N. Mex., the undersigned committee, all of whom reside in Gallup, made an inspection of the Eastern Navajo Indian schools on February 11, 1929, and were requested to submit a report of this inspection not later than February 12. The principal features to be investigated were the food and clothing furnished the children and the condition of the dormitories and school as a whole.

We visited the school on Monday, February 11, arriving there at about noon. In the absence of Mr. Samuel F. Stacher, the superintendent, Mr. Berkness took us in charge, and we witnessed the students of the institution at their noonday meal. At the present time there are 360 pupils enrolled, of which number 335 reported for dinner. The dining room was in charge of the disciplinarian, Mr. Juan M. Herrera, and Miss Annie Weber, matron of the dining room. The dining room is equipped with small tables, six children sitting at each. The meal consisted of roast beef, steamed carrots, hominy, boiled potatoes, raw onions, hot rolls, and chocolate pudding. A period of 20 minutes was allowed for the meal, and by talking with a number of the pupils and watching them at this meal it is very evident that they enjoy their food, which seemed to be well cooked and prepared, and they had plenty of it, as there was food left at all of the tables when the meal was finished.

In entering and leaving the dining room, the students marched in companies and were very orderly in entering and leaving the dining room as well as during the meal. Two adults were also there, having come from the reservation to visit their children. This seems to be permitted and as the parents are allowed to visit their children at any time that it does not interfere with students' duties, they seem to take advantage of the privilege and generally arrive during the middle of the day and are given their lunch without charge.

The dining room is about 35 by 100 feet, well lighted and ventilated.

After the children left the dining room, those who were detailed to clear the tables did so in a very orderly manner in not to exceed 10 minutes. These students take the dishes and have them scraped and stacked on a table from which the dishwashers take same. They are washed thoroughly with hot, soapy water and rinsed in hot, clear water. They are then taken from this water, placed on a table, from which the dining room girls take the dishes and dry them with a clean tea towel. No tea towel is used more than once without being washed. After the dishes are dried, the tables are set in uniform order. Floors are swept and polished each morning, the floor being oiled once a week. Windows are washed once a week, walls are brushed down, and window shades are also dusted weekly. The windows of the dining room are lowered from the top and raised from the bottom before each meal.

The following is the menu for the week commencing February 11:

Monday

Breakfast: Oatmeal and milk, sirup, bread, cereal, and coffee.

Dinner: Boiled beef and gravy, raw onions, creamed carrots, chocolate pudding, bread, and water.

Supper: Hash, fruit, fried potatoes, corn bread, and water.

Tuesday

Breakfast: Rice and milk, hash, sirup, bread, and coffee.

Dinner: Roast beef and brown potatoes, creamed onions, pickled beets, rice pudding, bread, and water.

Supper: Fried hominy, peach dumplings, bread, and water.

Wednesday

Breakfast: Bacon, gravy, sirup, bread, and water.

Dinner: Boiled mutton and vegetables, boiled potatoes, and raw onions.

Supper: Macaroni, stew, prunes, bread, ginger cake, and water.

Thursday

Breakfast: Oatmeal and milk, prunes, meat hash, bread, and cocoa.

Dinner: Roast mutton and gravy, baked potatoes, raw carrots, pudding, corn bread, and water.

Supper: Boiled hominy and milk, fruit, cake, bread, and water.

Friday

Breakfast: Corn-meal mush, fried potatoes, sirup, bread, cereal, and coffee.

Dinner: Swiss steak and gravy, brown potatoes, raw carrots, creamed cabbage, tapioca pudding, bread, and water.

Supper: Bacon and beans, stewed apples, tomatoes, bread, and water.

Saturday

Breakfast: Oatmeal and mush, bacon, gravy, sirup, bread, cereal, and coffee.

Dinner: Boiled vegetable dinner, rice pudding, creamed cabbage, raw onions, bread, and water.

Supper: Potatoes, soup, crackers, prunes, bread, and water.

Sunday

Breakfast: Cereal, sirup, bread, and cocoa.

Dinner: Roast beef and brown gravy, mashed potatoes, cabbage slaw, corn, stewed peaches, bread, and water.

Supper: Left overs, fruit, bread, cake, and coffee.

The cooking is done by Mrs. Purns, who is a member of the Oneida Tribe, of Wisconsin, and who is a graduate from the Carlisle Indian School. She is assisted by boys from the Indian school, five helping in the mornings and five in the afternoons. These boys are on duty for five weeks, after which time other boys are used alternately in this service. Mrs. Purns does all of the cooking with the exception of the baking. The bakeshop is adjacent to the kitchen, and we found it in immaculate condition and in charge of Mr. Ance, who is a Haskell graduate. He has as assistants one boy in the morning and one in the afternoon. These boys work alternately in order to interfere with the school work as little as possible.

All refuse left from the kitchen is given to the poultry department or fed to the hogs, a number of which are being raised.

The kitchen was found to be in very much the same condition as the dining room and bakery, which were immaculate and which is the usual condition, as those in charge were given no intimation of our visit. Electrical equipment, including cookers, bread cutting and dishwashing machines, is used.

In the absence of a dairy, canned milk is used to the amount of practically six cases per week, milk being used principally for breakfast foods in the mornings.

The flour and cornmeal bins were found to be beyond criticism.

All of the five dormitories were inspected. They were not equipped with steam heat, but a new central heating plant is now being installed, which will be equipped with two 150 horsepower marine boilers, and should be adequate to heat all of the buildings at the institution. The plant is practically completed and should be ready for service not later than the 20th of this month.

In the No. 4 dormitory we noted 68 beds, size 38 inches by 72 inches, each equipped with cotton-pad mattress, two sheets, and 5 single blankets. A steel locker is furnished for each pupil. Dormitory is furnished with two Ebbinger wash fountains adjusted to size of pupils. Each basin will accommodate 10 pupils and is equipped with liquid soap, hot and cold water. There are five toilets and six shower baths.

The hospital building is fairly well equipped and contains 32 beds. There were only four patients in the hospital at the time of our visit. These were suffering from trachoma, but evidently were receiving the best of care and attention. During the epidemic of influenza which prevailed in this section recently, 240 of the pupils were affected, 126 of them being confined to their beds at one time. Of this number there was one death, resulting from pneumonia, no doubt the after effects of the influenza. This is a very good record compared to other localities that had epidemic recently and it is very evident that the students had the best of medical attention and treatment.

All of the schoolrooms were visited and were found to be well heated and fairly well ventilated, and both the teachers and students seemed to be very much interested in their work. The kindergarten was especially interesting, as from the conduct of the youngsters it is very evident that they are not intimidated in any way and have the same, or even more privileges than those attending kindergartens in other localities.

The disciplinarian seems to be a man of very good judgment, and from all that we could learn the pupils are not compelled to undergo any particular hardships when breaking any of the institution's rules. Those who run away from school are brought back and are made to walk around the campus the number of times that it would require to cover the same distance at which they were found from the school. In more severe cases the pupils are taken to Mr. Stacher, the superintendent, who uses more drastic methods, but it is reported that children are never struck or abused by any of the teachers or officials in charge.

Each child is weighed once each month and a record of such weight is kept on a form provided for same. We were supplied with the record covering the period from September to February, and in studying these records we find that in the last six months the students averaged a gain in weight of about 8 pounds. We were informed that any of the children who appeared to be undernourished were given a light lunch at recess in the morning and afternoon, which lunch consists of cocoa and crackers and raisin bread, etc.

While our investigation was rather hurried, it is very evident that those in charge, as well as the entire staff, are making a sincere effort to make conditions as pleasant as possible for all students, with the intent of improving them both mentally and physically to the greatest possible degree.

The general appearance of the students indicates that they are happy and in splendid physical condition, with the exception of those suffering from trachoma. As a suggestion we hope that at some time in the near future it will be possible to isolate those who have contracted this disease in order to reduce the spreading of same to a minimum.

Respectfully submitted.

J. W. HAMMER,
Physician and Surgeon, Member American College of Surgeons.
GLENN L. EMMON,
President Gallup Kiwanis Club.
HORACE MOSES,
Manager Gallup American Coal Co.

(Copy to Senate Committee on Indian Affairs, Washington, D. C.
Copy to House Committee on Indian Affairs, Washington, D. C.
Copy to congressional delegation on Indian affairs, Washington, D. C.)

DULCE, N. MEX., *February 9, 1929.*

To the Senate Committee, the House Indian Committee, the Congressional Delegation, and the Indian Office.

GENTLEMEN: In compliance with the request of Supt. C. A. Gossett, of the Jicarilla Indian Agency, the undersigned citizens of Dulce and vicinity here made investigation of the Southern Mountain Sanatorium School of this place, and wish to submit the following report:

The committee began investigation on the afternoon of February 8, 1929, at the sanatorium school, where there are 87 Jicarilla Apache Indian children of scholastic age receiving sanatorium treatment and school training.

To give you our impressions just as they were registered in our minds, we would say that we found, first of all, a group of happy children who gave us that hearty greeting and joyous reception that indicates a spontaneous feeling of contentment, for which there must be a justification.

Their free and easy manners, showing release of a perfectly normal and childlike enthusiasm toward all of our approaches, convinced us that unusual thought has been given to the spirit or morale of the institution.

We arrived prior to their evening meal which was served in our presence, which had been unannounced, and we found an extremely nourishing diet placed before them.

We found all buildings comfortable, and exceptionally sanitary; with conveniences superior to the average homes of the white citizens of our land. It was revealed upon investigation that no corporal punishment is administered, which is thoroughly consistent with the happy demeanor of the children, and our opinion that all methods used are of a very gentle and persuasive nature.

We have never witnessed a more pleasing and impressive piece of altruistic work among any people than is being done for these Indian children under the direction of Supt. C. A. Gossett, ably assisted by Dr. H. M. Cornell, one of the most capable physicians and surgeons of this section, and the various employees whose appearance and contact with the children show that loving reaction from them which can only mean that they are receiving the very best of care for body, mind, and spirit.

The children are all in splendid flesh and are being given not only this general treatment but receive careful individual attention in any emergency that might arise in any home.

Upon the second day of our investigation we returned to the school where inspection was made of every department. We found, as on the evening before, each department in a most attractive and cleanly order. The food was being prepared for the noon meal, of which we ate, and with the utmost delicacy and care; food well cooked with modern appliances and a well-balanced ration, of which there was plenty.

We wish to advise you that the success and well-being of this unit is obvious even to the casual observer, and upon investigation we find that in numerous details the general and personal welfare of the children is being pursued with a vigilance and effectiveness that makes the institu-

tion a credit, not only to the United States Indian Service, but to our Nation as well.

THE CITIZEN COMMITTEE:
DENTON SIMMS,
Superintendent Jicarilla Apache Mission and School.
EMMET WIRT,
United States Commissioner and Postmaster, Dulce, N. Mex.
J. T. DUNHAM, M. D.,
County Health Officer, Rio Arriba County, N. Mex.

UNITED STATES DEPARTMENT OF THE INTERIOR,
INDIAN FIELD SERVICE,
Northern Navajo Agency, Shiprock, N. Mex., February 13, 1929.

Hon. SAM G. BRATTON,
United States Senate, Washington, D. C.

DEAR SIR: At the request of the Indian Office I inclose herewith a report of the committee which was appointed to inspect the Indian boarding schools at this agency.

Very truly yours,

B. P. SIX, *Superintendent.*

REPORT OF COMMITTEE APPOINTED TO INSPECT SAN JUAN INDIAN SCHOOLS NOS. 1 AND 2, NORTHERN NAVAJO AGENCY

(Members of committee: Mr. C. C. Mumma, was member of school board of Farmington for eight years; Mrs. H. B. Sammons, president of the First National Bank of Farmington; Mr. Elmer F. Taylor, president of the board of county commissioners, San Juan County, and president Young Stake Latter Day Saints' Church)

NORTHERN NAVAJO AGENCY,
SHIPROCK, N. MEX., *February 11, 1929.*

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEAR SIR: In response to letter dated February 2, 1929, directed to the superintendent of the Northern Navajo Indian Agency at Shiprock, N. Mex., requesting a thorough investigation of San Juan Schools Nos. 1 and 2, we, the committee, make the following report: The committee understands that it was especially desired that we investigate in the matter of the children of the boarding school being properly fed, clothed, and housed; that we investigate the medical attention given to them and the discipline of the school. We therefore confine our report to the following topics:

(1) Food and clothing.
(2) Housing.
(3) School instruction.
(4) Recreation.
(5) Medical attention.
(6) Discipline.

FOOD AND CLOTHING

We visited the kitchens and found them in a sanitary condition. The floors were clean, the cupboards neat and clean. The ingredients of the food were wholesome and the food suitable for growing children and properly prepared.

We visited the dining hall during the noon hour, and we found there was plenty of food for each child. Those who cared for a second serving received the same. All the children looked well nourished and in good physical condition. The attached menu sheets evidence the kind of food and the meals prepared since January 1, 1929, which are typical of the regular meals served. We verified the fact that this menu was followed, and we saw copies posted in the kitchens for the guidance of the cooks. In addition to the regular meals being served, any child desiring a lunch at recess in the morning and at recess in the afternoon is encouraged to go to the kitchen and be served a lunch. We consider the children well fed. We find that these children are supplied with from 70 to 80 gallons of milk per day and with fresh vegetables which are grown on the farm throughout the year.

We visited the storehouses, which contained ample supplies well arranged and properly cared for. We saw quantities of canned fruit which were put up by the children and the employees at the school.

Summarizing the matter of food, we unhesitatingly say that the supply and the nature of the food were entirely adequate for the health and growth of the children.

From observation the children all seem to be well clothed.

We visited the sewing room where we found the children making their own clothing, repairing their clothing, and mending stockings.

We found children mending their own shoes in the shoe shop.

We also visited the laundry and noticed that no girls were working in that place. We also noted that the laundry machinery appeared to be old and inadequate. Inquiry revealed the fact that this laundry machinery was purchased originally for a school of 200 pupils and that it is now doing the laundry work for approximately 400 pupils.

The children were warmly clad and suitably dressed. We questioned many children regarding the conditions of food and clothing and found a universal expression that they were well fed and well clothed. Inquiries made among children and adults at the school and agency failed to reveal a single complaint in this regard.

HOUSING

The sleeping rooms were large and airy and sunny. Each of the dormitories is accessible to sunlight at some time during the day. We found the beds clean, mattresses neat, and the dormitories are in no way overcrowded.

SCHOOL INSTRUCTION

We visited each schoolroom, covering to and including the sixth grade. We found the method of instruction and the subjects taught practically the same as taught in the schools for the white children. The committee had prepared itself with a schedule of subjects taught in each of the different grades in the schools for the white children, and found that these grades were practically the same. We found that the children were more advanced in years in the grades, but their understanding of their work in each grade compared very favorably with that of the white children. The children seemed interested, and the discipline was especially remarkable, exceeding that of the average public school.

The schoolrooms were especially well lighted and ventilated, and the instructors seemed interested in their work and seemed to take a genuine interest in the pupils. The instructors, as a whole, compare very favorably with the efficiency and ability of the teachers in the public schools in this community.

RECREATION

The committee was especially pleased to find that the recreation for the children was amply provided for. There are two large recreation halls for games and general amusement. The grounds are provided with swings and slides. During recess time and after school we found the children playing marbles, ball, and all the games that the average child is interested in. We believe these children are genuinely happy, both in their work and in their play. In addition to their recreation halls, there are provided for the children well-furnished sitting rooms. On the floors of the sitting rooms were nice Navajo blankets made by the school children and their instructors. These sitting rooms were equipped with musical instruments and provided with comfortable chairs.

These children have basketball and baseball teams and frequently compete with the teams of the schools in this section.

MEDICAL ATTENTION

Of all the departments visited, the committee found the greatest need for improvement was along the line of medical attention. This need arises from the fact that the medical force is overworked, and it is impossible to give proper attention to the demands on their time, considering the number of the pupils and the radius of the field. At the present time, the local physician is supposed to take care of the two schools, having an attendance of 400 pupils, a hospital of 60-bed capacity, and the medical needs of reservation Indians over a radius of 100 miles. There is a crying need for a doctor whose time shall be given exclusively to field work. The hospital should also be furnished with a night nurse. We found the children suffering with trachoma segregated and the doctor properly treating every pupil every day for this trouble.

We found a few tents located away from the hospital for tubercular patients, but entirely inadequate to the need.

The committee personally knows of physicians who have practically given their lives to the medical work at this school and agency, but it is the opinion of the committee that it is not possible for any one physician to do justice to this field, as the scope is too large and the number to be cared for too great.

We found that the children were weighed upon entering school and once a month thereafter and a chart or record kept in each schoolroom as to the findings of same. Whenever a child is found underweight, the attention of the physician is called. The general condition of the children seemed to be that the weight was normal or above for those who had been in school for a considerable time. We found several of the children underweight who had just recently been brought in from the reservation.

The details of personal cleanliness are not overlooked, as evidenced by toothbrush drills, shower baths, individual brushes and combs, and neatly kept lockers.

DISCIPLINE

From reliable investigation which we made, we were unable to find where any child was unjustly punished or placed under improper discipline. Discipline had as its main object industry, and this was noted both at work and play.

The discipline in the schoolroom was particularly good, the children being very respectful and well behaved. The committee also noted that during school hours every child was in his proper place in school and not loitering on the school grounds. The committee would be very much pleased if they could state that the same dis-

cipline that they found on visiting this school was maintained in the white schools of San Juan County.

In conclusion, we, the committee, make the following recommendations:

(1) We recommend new equipment for the laundry, as the present machinery is old and inadequate.

(2) We recommend the extension of the lighting service from Farmington to this school, so that the hospital could be furnished with 24-hour service, and so that a great deal of the machinery at the school could be electrically operated.

(3) We recommend that a night nurse be added to the present hospital force.

(4) We recommend that an additional physician for field work be added to the present force.

(5) We recommend that a tubercular sanatorium be provided for the reservation Indians.

In closing this report, this committee can not refrain from adding that each and every member has known this school intimately from the date of its inception to the present time. We have watched its growth closely; we have personally and intimately known its superintendents and can conscientiously say that this school stands high in our estimation from the standpoint of real service to the Navajo Indian—educational, physical, commercial, and financial. The superintendents have had at all times the interests of the Navajo at heart and the school to-day reflects their efforts.

Very respectfully,

C. C. MUMMA.
(Mrs.) H. B. SAMEROUS.
ELMER F. TAYLOR.

SAN JUAN INDIAN SCHOOL MENU, WEEK OF DECEMBER 30, 1928, TO JANUARY 5, 1929

Sunday

Breakfast: Steamed rice with raisins, whole milk, sirup, bread, and cereal coffee.

Dinner: Roast beef, gravy, browned potatoes, buttered beets, sliced onions, bread, and milk.

Supper: Baked beans, apple sauce, cinnamon rolls, cocoa, and bread.

Monday

Breakfast: Oatmeal, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Mexican chili, boiled cabbage, corn bread, chocolate tapioca, and milk.

Supper: Cream tomato soup, bread, cocoa, and fruit.

Tuesday

Breakfast: Corn-meal mush, whole milk, bacon, gravy, bread, and cereal coffee.

Dinner: Roast mutton, dressing, mashed potatoes, baked apples, bread, and cocoa.

Supper: Left overs (meat with rice), oranges, doughnuts, bread, and milk.

Wednesday

Breakfast: Oatmeal, whole milk, stewed prunes, doughnuts, bread, and cereal coffee.

Dinner: Beef with dumplings, boiled turnips, cornstarch pudding with raisins, rolls, and milk.

Supper: Fried potatoes, left overs, raw carrots, sirup, bread, and milk.

Thursday

Breakfast: Steamed rice, bacon, gravy, sirup, bread, whole milk, and cereal coffee.

Dinner: Steak, gravy, baked potatoes, stewed tomatoes, corn bread, and milk.

Supper: Vegetable soup, hard bread, apple sauce, bread, and milk.

Friday

Breakfast: Corn-meal mush, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Corn chowder (page 19), carrots and peas, apple tapioca, bread, and milk.

Supper: Hominy and cheese, left overs, browned parsnips, bread, and cocoa.

Saturday

Breakfast: Oatmeal, whole milk, stew, cereal coffee, and bread.

Dinner: Beef with vegetables, rice with raisin pudding, bread, and milk.

Supper: Macaroni and cheese, left overs, apples, bread, and cocoa.

ELIZABETH STANDLEY GRIMES,
Head Matron.

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN INDIAN SCHOOL MENU, WEEK OF JANUARY 6–12, 1929

Sunday

Breakfast: Oatmeal, whole milk, stew, bread, and cereal coffee.

Dinner: Mutton, dumplings, gravy, rolls, cabbage salad, mashed potatoes, and cocoa.

Supper: Sliced cheese, stewed prunes, left overs, gingerbread, bread, and milk.

Monday

Breakfast: Steamed rice with raisins, whole milk, bacon gravy, bread, and cereal coffee.

Dinner: Beef with vegetables (onions, carrots, potatoes, turnips), rice pudding, bread (corn), and milk.

Supper: Baker beans, sciced onions, dried-apple sauce, bread, and cocoa.

Tuesday

Breakfast: Corn-meal mush, whole milk, sirup, bread, and cereal coffee.

Dinner: Hamburger steak, gravy, baker potatoes, raw carrots, bread, and milk.

Supper: Vegetable soup, hard bread, stewed prunes, left overs, bread, and cocoa.

Wednesday

Breakfast: Oatmeal, whole milk, bacon gravy, bread, and cereal coffee.

Dinner: Roast beef, gravy, boiled cabbage, dried corn, rolls, and milk.

Supper: Meat pie (left overs), creamed carrots, raised doughnuts, bread, and milk.

Thursday

Breakfast: Bacon gravy, dried-apple sauce, raised doughnuts, whole milk, and cereal coffee.

Dinner: Mexican chili, turnips (with bacon), chocolate tapioca, cornbread, and milk.

Supper: Cream tomato soup, hard bread, left overs, sirup, bread, and cocoa.

Friday

Breakfast: Corn-meal mush, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Salmon loaf, stewed tomatoes, browned potatoes, bread, and milk.

Supper: Left overs, macaroni and cheese, browned parsnips, bread, and milk.

Saturday

Breakfast: Oatmeal, whole milk, dried-apple sauce, bread, and cereal coffee.

Dinner: Boiled beef, gravy, fried cabbage, boiled potatoes, sliced onions, bread, and milk.

Supper: Fried potatoes, left overs, stewed prunes, bread, and cocoa.

ELIZABETH STANDLEY GRIMES.

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN SCHOOL MENU, WEEK OF JANUARY 13 TO 19, 1929

Sunday

Breakfast: Steamed rice, stewed prunes, whole milk, bread and cereal coffee.

Dinner: Boiled mutton, gravy, baked squash, mashed potatoes, buttered beets, rolls, and milk.

Supper: Bean stew, left overs, cinnamon rolls, bread, and cocoa.

Monday

Breakfast: Oatmeal, whole milk, bacon gravy, bread, and cereal coffee.

Dinner: Roast, mutton, gravy, dressing, boiled cabbage, corn bread.

Supper: Fried potatoes, left overs, dried-apple sauce, bread, and cocoa.

Tuesday

Breakfast: Corn-meal mush, whole milk, sirup (served in pitchers or bowls), bread, and cereal coffee.

Dinner: Irish mutton stew, chocolate bread pudding, bread, and milk.

Supper: Spanish rice (left overs), creamed carrots, stewed prunes, bread, and cocoa.

Wednesday

Breakfast: Hominy, bacon gravy, dried-apple sauce, bread, and cereal coffee.

Dinner: Roast beef, gravy, boiled potatoes, canned tomatoes, rolls, and milk.

Supper: Macaroni and cheese, browned parsnips, left overs, bread, and cocoa.

Thursday

Breakfast: Oatmeal, whole milk, beef gravy (with bits of meat cut up in it), bread, and cereal coffee.

Dinner: Steak, gravy, creamed onions, baked potatoes, cornstarch pudding (with raisins), corn bread, and milk.

Supper: Vegetable soup, toasted bread, stewed prunes, bread, and milk.

Friday

Breakfast: Corn-meal mush, whole milk, sirup, bacon gravy, bread, and cereal coffee.

Dinner: Boiled beef with barley, turnips, boiled potatoes, tapioca pudding with raisins, bread, and milk.

Supper: Left overs, raised doughnuts, dried-apple sauce, bread, and cocoa.

Saturday

Breakfast: Steamed rice with raisins, bacon gravy, bread, milk, and cereal coffee.

Dinner: Dumplings, beef stew with creamed potatoes, raw carrots, bread, and milk.

Supper: Baked beans, left overs, stewed tomatoes, bread, and milk.

ELIZABETH STANDLEY GRIMES,
Head Matron.

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN SCHOOL MENU, WEEK OF JANUARY 20–26, 1929

Sunday

Breakfast: Oatmeal, whole milk, honey, bread, and cereal coffee.

Dinner: Roast mutton, dressing, gravy, boiled potatoes, raw onions (sliced), rolls, and cocoa.

Supper: Tomato soup, toasted bread, dried-apple pie, left overs, and milk.

Monday

Breakfast: Corn-meal mush, whole milk, dried apple sauce, bread, and cereal coffee.

Dinner: Mexican chili, fried cabbage, chocolate tapioca, and corn bread.

Supper: Left overs, scalloped potatoes, raw carrots, bread, and milk.

Tuesday

Breakfast: Steamed rice, bacon, gravy, bread, whole milk, and cereal coffee.

Dinner: Meat, gravy, mashed potatoes, buttered beets, bread, and milk.

Supper: Baked beans, left overs, stewed prunes, bread, and cocoa.

Wednesday

Breakfast: Bacon, gravy, stewed prunes, raised doughnuts, bread, and cereal coffee.

Dinner: Meat, gravy, rutabagas, baked potatoes, rolls, and cocoa.

Supper: Left overs, fried potatoes, stewed tomatoes, bread, and milk.

Thursday

Breakfast: Oatmeal with raisins, whole milk, sirup (served in pitchers), bread, and cereal coffee.

Dinner: Stew with vegetables, boiled cabbage, raised doughnuts, corn bread, and milk.

Supper: Macaroni and cheese, browned parsnips, left overs, dried-apple sauce, bread, and cocoa.

Friday

Breakfast: Corn-meal mush, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Meat, gravy, dried corn, creamed carrots, bread, and cocoa.

Supper: Left overs, bean stew, cornstarch pudding, bread, and milk.

Saturday

Breakfast: Hominy, whole milk, bacon, gravy, bread, and cereal coffee.

Dinner: Beef with dumplings, dried-apple sauce, boiled potatoes, bread, and milk.

Supper: Meat pie (left overs), canned tomatoes, bread, and cocoa.

ELIZABETH S. GRIMES, *Head Matron.*

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN INDIAN SCHOOL MENU FOR WEEK OF JANUARY 27–FEBRUARY 2, 1929

Sunday

Breakfast: Hominy, whole milk, honey, bread, and cereal coffee.

Dinner: Mutton, gravy, scalloped corn, buttered beets, bread, and milk.

Supper: Bean stew, stewed prunes, plain cake, raisin bread, and cocoa.

Monday

Breakfast: Corn-meal mush, bacon, gravy, whole milk, and cereal coffee.

Dinner: Mutton with dumplings, mashed potatoes, tapioca pudding, corn bread, and milk.

Supper: Left overs, scalloped tomatoes, dried-apple sauce, bread, and milk.

Tuesday

Breakfast: Steamed rice with raisins, toasted bread, sirup, whole milk, and cereal coffee.

Dinner: Mutton stew (with vegetables and barley), fruit cobbler (use dried apples), bread, and milk.

Supper: Left overs, scalloped potatoes, cinnamon rolls, bread, and cocoa.

Wednesday

Breakfast: Oatmeal, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Meat, gravy, boiled potatoes, raw carrots and onions, rolls, and milk.

Supper: Meat pie, bread, and cocoa.

Thursday

Breakfast: Hominy, bacon, gravy, sirup, bread, milk, and cereal coffee.

Dinner: Meat, dressing, gravy, creamed carrots, corn bread, and milk.

Supper: Left overs, creamed potatoes, raisins, dried-apple sauce, bread, and milk.

Friday

Breakfast: Corn-meal mush, whole milk, honey, bread, and cereal coffee.

Dinner: Mexican chili, fried cabbage, chocolate tapioca, bread, and milk.

Supper: Steamed rice, left overs, stewed prunes, bread, and cocoa.

Saturday

Breakfast: Oatmeal, whole milk, bacon, gravy, bread, and cereal coffee.

Dinner: Meat, gravy, baked potatoes, canned tomatoes, bread, and milk.

Supper: Left overs, dried corn, dried-apple sauce, bread, and milk.

ELIZABETH S. GRIMES,
Head Matron.

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN INDIAN SCHOOL MENU, FEBRUARY 3–9, 1929

Sunday

Breakfast: Rice, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Mutton with dumplings, mashed potatoes, canned tomatoes, bread, and milk.

Supper: Left overs, vegetable soup, oatmeal cookies, bread, and coca.

Monday

Breakfast: Corn-meal mush, whole milk, sirup, bread, and cereal coffee.

Dinner: Roast mutton, gravy, browned potatoes, sweet spiced beets, corn bread, and milk.

Supper: Baked white beans, left overs, dried-apple sauce, bread, and milk.

Tuesday

Breakfast: Oatmeal, whole milk, bacon gravy, bread, and cereal coffee.

Dinner: Pork (ribs and backbone), gravy, boiled cabbage, boiled potatoes, sliced onions, bread, milk.

Supper: Left overs, macaroni and cheese, stewed prunes, bread, and coca.

Wednesday

Breakfast: Hominy, whole milk, honey(?), bread, and cereal coffee.

Dinner: Mutton stew with vegetables, fruit cobbler, rolls, and milk.

Supper: Scalloped potatoes, left overs, cinnamon rolls, bread, and coca.

Thursday

Breakfast: Corn-meal mush, dried-apple sauce, whole milk, bread, and cereal coffee.

Dinner: Sausage, gravy, dried corn, tapioca pudding with raisins, corn bread, and milk.

Supper: Left overs, rice hash, doughnuts, bread, and coca.

Friday

Breakfast: Oatmeal, whole milk, bacon gravy, bread, cereal coffee, and sirup.

Dinner: Mutton (boiled), gravy, baked potatoes, creamed onions, bread, and milk.

Supper: Let overs, bean stew, dried-apple sauce, bread, and milk.

Saturday

Breakfast: Steamed rice with raisins, whole milk, bread, and honey(?).

Dinner: Sausage, gravy, creamed carrots, bread pudding with prunes, bread, and milk.

Supper: Corn-meal mush with left-over meat, stewed prunes, bread, and milk.

ELIZABETH S. GRIMES.

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN INDIAN SCHOOL MENU, FEBRUARY 3–9, 1929

Sunday

Breakfast: Rice, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Mutton with dumplings, mashed potatoes, canned tomatoes, bread, and milk.

Supper: Left overs, vegetable soup, oatmeal cookies, bread, and cocoa.

Monday

Breakfast: Corn-meal mush, whole milk, sirup, bread, and cereal coffee.

Dinner: Roast mutton, gravy, browned potatoes, sweet spiced beets, corn bread, and milk.

Supper: Baked white beans, left overs, dried-apple sauce, bread, and milk.

Tuesday

Breakfast: Oatmeal, whole milk, bacon gravy, bread, and cereal coffee.

Dinner: Pork (ribs and backbone), gravy, boiled cabbage, boiled potatoes, sliced onions, bread, and milk.

Supper: Left overs, macaroni and cheese, stewed prunes, bread, and cocoa.

Wednesday

Breakfast: Hominy, whole milk, honey (?) bread, and cereal coffee.

Dinner: Mutton stew with vegetables, fruit cobbler, rolls, and milk.

Supper: Scalloped potatoes, left overs, cinnamon rolls, bread, and cocoa.

Thursday

Breakfast: Corn-meal mush, dried-apple sauce, whole milk, bread, and cereal coffee.

Dinner: Sausage, gravy, dried corn, tapioca pudding with raisins, corn bread, and milk.

Supper: Left overs, rice, hash, doughnuts, bread, and cocoa.

Friday

Breakfast: Oatmeal, whole milk, bacon, gravy, bread, cereal coffee, and sirup.

Dinner: Mutton (boiled), gravy, baked potatoes, creamed onions, bread, and milk.

Supper: Left overs, bean stew, dried-apple sauce, bread, and milk.

Saturday

Breakfast: Steamed rice with raisins, whole milk, bread, and honey (?).

Dinner: Sausage, gravy, creamed carrots, bread pudding with prunes, bread, and milk.

Supper: Corn-meal mush with left-over meat, stewed prunes, bread, and milk.

ELIZABETH S. GRIMES, *Head Matron.*

Approved.

FRANK DAVIS, *Principal.*

SAN JUAN INDIAN SCHOOL MENU, WEEK OF FEBRUARY 10–16, 1929

Sunday

Breakfast: Oatmeal, whole milk, stewed prunes, bread, and cereal coffee.

Dinner: Roast beef, gravy, mashed potatoes, boiled cabbage, bread, and cocoa.

Supper: Bean stew, apple sauce, cake, apples, rolls, and milk.

Monday

Breakfast: Steamed hominy, bacon, gravy, bread, whole milk, and cereal coffee.

Dinner: Roast mutton, gravy, boiled potatoes, sliced onions, corn bread, and milk.

Supper: Left overs, stewed tomatoes, dried-apple sauce, bread, and cocoa.

Tuesday

Breakfast: Corn-meal mush, apples, whole milk, bread, and cereal coffee.

Dinner: Meat, gravy, dried corn, spiced beets, bread, and milk.

Supper: Left overs, rice, hash, stewed prunes, bread, and cocoa.

Wednesday

Breakfast: Oatmeal, whole milk, dried-apple sauce, bread, and cereal coffee.

Dinner: Meat, gravy, baked potatoes, creamed onions, rolls, and milk.

Supper: Left overs, browned parsnips, apples, cinnamon rolls, bread, and cocoa.

Thursday

Breakfast: Steamed rice with raisins, bacon, gravy, bread, whole milk, and cereal coffee.

Dinner: Meat stew with vegetables, bread pudding with prunes, corn bread, and milk.

Supper: Baked white beans, left overs, dried-apple sauce, bread, and milk.

Friday

Breakfast: Steamed hominy, whole milk, honey, bread, and cereal coffee.

Dinner: Meat, gravy, browned potatoes, boiled rutabagas, chocolate tapioca, bread, and milk.

Supper: Left overs, scalloped potatoes, canned tomatoes, bread, and cocoa.

Saturday

Breakfast: Oatmeal and raisins, bacon, gravy, bread, whole milk, and cereal coffee.

Dinner: Meat, gravy, creamed carrots, fruit cobbler, bread, and milk.

Supper: Vegetable soup, left overs, stewed prunes, bread, and cocoa.

ELIZABETH S. GRIMES,
Head Matron.

Approved.

FRANK DAVIS, *Principal.*

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

Mr. BRATTON. Certainly.

Mr. CARAWAY. Directly I am much interested in the Indian schools as to one phase of them only. It seems to me to be indefensible to take children 8 or 9 years of age away from their parents and transport them 100 or 150 miles and keep them through all the formative years in schools. Does the Senator agree with me or does he not?

Mr. BRATTON. I disagree with the Senator from Arkansas about that matter. I believe that it not only contributes to the rapid development of the Indians into the fabric of American civilization to take them from the reservation during the formative period and keep them in well-conducted schools, but it is conducive to their improvement physically as well as morally and intellectually.

Mr. CARAWAY. What impresses me is that the mothers of these children love their children and the children love their mothers just as if they were not Indians. I think it is so inhuman that I can not make up my mind that civilization ought to be priced so high.

Mr. BRATTON. I do not assume to speak in regard to conditions in other States, but in my own State instead of taking the children from their parents against their will, the parents almost without exception are anxious to have their children received and educated in the Indian schools and with the result that the schools are overrun with applications from parents tendering their children.

The PRESIDENT pro tempore. The time of the Senator from New Mexico has expired.

Mr. McKELLAR. Mr. President, I wish to address myself briefly to the resolution now before the Senate.

Mr. BLACK. Mr. President, I ask that the resolution may go over.

The PRESIDENT pro tempore. The resolution will go over.

Mr. ASHURST. Mr. President, following the discussion regarding the investigation of Indian affairs I ask leave to have printed in the RECORD copies of certain letters and telegrams regarding Indian affairs in Arizona.

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

The letters and telegrams are as follows:

WINSLOW, ARIZ., *February 14, 1929.*

Hon. C. H. BURKE,
Commissioner of Indian Affairs, Washington, D. C.:

Herewith copy of telegram sent to chairman Senate investigating committee of Indian affairs, care Hon. HENRY F. ASHURST, United States Senator. Due to close proximity of Leupp Indian Agency and school committee of our chamber yesterday went unannounced to Leupp and conducted inspection of conditions. We take pleasure reporting we found conditions excellent and 350 children were just seating themselves to dinner when we arrived. We venture to say that many white children do not fare as well as these Indian children, who had all food they wanted and told us they were well satisfied with food and treatment received. We also visited school rooms and dormitories and hospital and found excellent conditions prevailing. This information from citizens of northern Arizona interested in welfare of Indians is passed on to you for what it is worth, as we are prompted to such by a recent magazine article and knowing that you are in session we believe that you will find on proper investigation that Leupp is model school and agency and does not deserve criticism that may have been directed against it. While we have not visited other agencies farther north, we are satisfied, from contact with others who have, that similar conditions prevail.

WINSLOW CHAMBER OF COMMERCE,
By C. L. GIRAGI,
President, Publishers Winslow Daily Mail.

COOLIDGE DAM

The Coolidge Dam is completed. It was authorized by the act of Congress approved June 7, 1924, and will form a lake 25 miles long with a capacity of 1,300,000 acre-feet.

The dam is situated 8 miles west of the San Carlos Apache Indian Agency. The reservoir, when filled, will submerge the present agency building and 14 miles of railroad track belonging to the Southern Pacific Railway.

The dam, of multiple-dome type, consists of three huge domes and is the only example of this type ever constructed. It will rise 250 feet above the bedrock and will span the canyon from wall to wall, a distance of 600 feet, with a huge spillway at each end. It was designed by and is being built under the direction of the engineers of the United States Indian Irrigation Service.

In keeping with the name bestowed upon it by Congress the engineers strove to make it both safe and economical. It has a maximum of strength and a minimum of material. Compressive stresses were welcomed and tensil avoided as much as possible.

The waters impounded behind this unique dam will be used to irrigate the fertile lands of the Pima Indians, who have lived on the banks of the Gila for centuries and who have never been at war with white men. Their white neighbors will also benefit from these waters, and in a few years 100,000 acres, much of which is now desert, will be producing crops in an abundance that will astonish those who are not familiar with the productivity of Arizona soil and sunshine.

The waters released from the Coolidge Dam flow down a canyon for 60 miles and are then turned out by the Ashurst-Hayden diversion dam and irrigate the section embracing Florence Casa Grande and the Indian reservation.

The Commissioner of Indian Affairs, Mr. Charles H. Burke, and the Assistant Commissioner, Mr. E. B. Meritt, in urging the construction of this dam, displayed wisdom and sagacity and indicated that they were fully aware of the duty the Nation owed to the Pima Indians.

CITIZENS COMMITTEE REPORT OF INVESTIGATION OF THE COLORADO RIVER INDIAN BOARDING SCHOOL, PARKER, ARIZ.

OUTLINE OF REPORT OF COMMITTEE

Introduction.

I. On the feeding of the children:
- a. Menu used.
- b. Commissary condition.
- c. Milk supply.
- d. Vegetables (fresh).

II. On clothing of the children:
- a. Boys' clothing.
- b. Girls' clothing.

III. On dormitory facilities:
- a. Boys' dormitory.
- b. Girls' dormitory.

IV. On general health conditions:
- a. What the health chart shows.
- b. Treatment of "underweights."
- c. Treatment of tubercular children.
- d. Every-day medical attention.

V. On dairy and barn, yard and gardens:
- a. Care of milch cows.
- b. Care of stables and refuse.
- c. Care and appearance of gardens.

VI. On the treatment of the Indian children:
- a. Treatment in classrooms.
- b. Treatment on playground.
  - 1. Free time.
  - 2. Spontaneous play.

VII. On cruelty and unjust punishment.

VIII. General conditions.

PARKER, ARIZ., *February 14, 1929.*

GENTLEMEN: We have the honor of submitting herewith the report of the committee in regard to conditions in the Colorado River Indian Boarding School at Parker, Ariz., which school is maintained by the United States Indian Bureau for the education of the Mojave and Chemehueva Indians.

An inspection was made through visits by this committee to the various departments, where the Indian children were observed at mealtime, at work, and at play; through interviewing many Indian parents whose children are in attendance at the school; by interviewing white people on or near the reservation who have been living within this reservation for many years; and through personal knowledge of the members of this committee who have been residents of Parker and vicinity for some years past. The Indian school is just 1 mile from the town of Parker, Ariz. The report follows:

I

One visit was made on February 10, 1929, by this committee, at which time we observed the children in the dining hall. The children filed into the hall in an orderly manner, took their seats at the different tables, and said grace. The dinner was on the tables, at the head of which an older child was seated. This child took the lead in serving and bringing in second helpings for those who cared for them. A copy of the menu is herewith attached for your inspection. This menu was followed on the day of the committee's visit. There was plenty of well-cooked and nicely prepared food for everyone. Individual members of this committee had made previous visits and have always found the menu followed and everything just as orderly. The employees nor any of the children knew when any of these visits were to be made, so nothing was especially prepared for us.

The children have a minimum of a quart of milk per day per child. This milk is clean and free from flies. In fact, there were no flies in the dining room or the room where the food was prepared. Vegetables are furnished from the garden during season, while out of season vegetables are purchased for table use.

The supplies in the commissary indicate that this menu is followed throughout the week. All of the supplies in the commissary are kept in the best of order. When you step into this department you might well imagine you were in a very neatly arranged general merchandise store. The supply of flour, which is kept in a separate little room of this commissary, is carefully screened in. It is kept clean and free from mice.

II

The clothing worn by the Indian school children during schooltime and out of school is sensible and substantial. The boys' clothing is purchased ready made in large quantities and is kept clean and neat.

The girls' clothing is made in the domestic-science department. The girls are taught to do this work, and they seem to take pride in their ability to sew.

The clothing worn by both boys and girls is in good condition, and there is a plentiful supply of changes neatly piled in the lockers. There is also a supply of material for clothes in the commissary to be made up when needed.

Each child has a change of shoes for dress wear, and there is a supply of shoes in the commissary as well. This committee is in a position to take notice of these Indian school children every day, and the conditions mentioned concerning them are true at all times.

III

The boys' dormitory and beds are clean and comfortable. The beds are made by the boys themselves under the supervision of the matron. The building at the present time is in good repair and well painted. But this building is a little small to provide for a reading room and a place where those who wish may sit and read or study. A sleeping porch added to this building would provide ample room.

The same conditions, as far as cleanliness and neatness is concerned, were found in the girls' dormitory. Here there is an addition being made for the purpose of providing more sleeping room. Some repairs are necessary on the floors soon, as same are badly worn, but the committee noticed that carpenters were at work on the building, and all that is best will likely be done.

The opinion of the committee concerning the condition of these dormitories is that they are kept in very good condition, both from the standpoint of health and comfort.

IV

The children have a very healthy appearance. The health charts kept at the school indicate that all children are weighed regularly every month. Children whose weights and measurements do not meet the standard are given bread and milk between meals. Those who are in industrial work of any kind are relieved if their condition demands it, and it is for their best interests that they be excused. Tubercular cases are sent to the sanitarium at Phoenix, Ariz., where they can have the proper care and attention for that disease. In case the parents object too strenuously to this the children are sent home. Most cases go to the sanitarium.

Dr. A. I. Nettle, who has been with the service here for 18 years, is a vivacious, energetic, and faithful physician. The observations of this committee—that is, the individuals composing this committee, covering years of observation—is that these children receive the best of medical attention. Indian parents tell us that their children are well cared for.

A visit to the dairy revealed the fact that the milch cows are well fed and properly cared for. The cows' udders were washed and dried with a clean towel before milking. The milking was done by some of the larger boys, under the supervision of an overseer.

The barn was clean and dry; no refuse was to be found. No unsanitary condition exists there. There is no place for flies to breed. The cows are regularly tested for tuberculosis and great care is taken to prevent the contraction and spread of this disease.

The horse barn is kept clean and orderly. There is a place for everything and everything is in its place. The harnesses and tools are hung up; the whole place has the atmosphere of order and care.

The garden which supplies the green vegetables for table use is free from weeds. Beets, radishes, onions, carrots, turnips, spinach, and mustard are now growing in the garden. The farmer who cares for the garden, farm, and cows is an experienced gardener and farmer and is actually busy on the farm and garden.

VI

This committee has made a thorough investigation of the treatment of the Indian school children at this place. In the schoolroom the teachers are found to be efficient; modern methods are used; and the results are as good as can be expected from the type of pupil, which type, it is found, is not able to go much beyond the sixth grade, as a rule.

On the playground spontaneous play is the kind of exercise encouraged, such as basket ball and baseball. Some formal exercises are practiced, but this is not carried to excess.

The children have the average free time allowed to most children of to-day.

Current reports concerning some schools that the children are mistreated, underfed, poorly clothed, cruelly punished, chained, whipped, and handcuffed to promote discipline can not truthfully be applied to this Indian school at this time. When punishment is necessary, attendance at the "movie" or at social or home affairs is denied the child, providing an earnest talk between supervisor and pupil does not suffice. Small children have been sometimes spanked in the good old-fashioned way.

VII

Through living within the reservation at this place and meeting the Indians almost every day, we are thoroughly familiar with the activities on the reservation at this place, in general, and the practices seem very satisfactory. Lands are not leased which Indians will farm, as we have heard is the practice in some places.

In fact, your committee feels that the school and reservation here is conducted in such a manner that it might well be used as an example anywhere.

The superintendent in charge at this time is a fine Christian character and one of the finest types of men that it has been our privilege to know. He is very conscientious in his work, and we feel that as long as he is in charge here you need have no uneasiness as to the work. Whatever is done will be for the best interests of all concerned.

Respectfully submitted.

B. M. FUQUA,
Manager of General Merchandise Store, Parker Commercial Co.
ROY L. MCFATE,
Superintendent of Parker Schools, Public and High.
NELLIE T. BUSH,
Attorney at Law, Secretary State Legislative Code Com., United States Commissioner.

Copies sent to—
The Senate Committee on Indian Affairs.
The House Indian Committee.
Hon. CARL HAYDEN.
Hon. HENRY ASHURST.
Hon. LEWIS DOUGLAS.
Hon. Charles H. Burke, Commissioner of Indian Affairs.
Dated at Parker, Ariz., this 14th day of February, A. D. 1929.

SCHOOL MENU FOR THE WEEK, YEAR 1928–29

Sunday

Breakfast: Fresh fruit, bacon, boiled eggs, toast, butter, sirup, cereal coffee, or milk.

Dinner: Roast beef or pork, gravy, mashed potatoes, cabbage salad or other fresh vegetable, bread, peach or apple cobbler, and milk.

Supper: Sandwiches, fruit, cake or cookies, cocoa, or milk.

Monday

Breakfast: Canned peaches, corn flakes, whole milk, fried hominy, bread, butter, sirup, cereal coffee, or milk.

Dinner: Boiled beef, gravy, boiled potatoes, tomatoes, corn bread, tapioca pudding, and milk.

Supper: Baked hominy and cheese, bread, fruit, honey, butter, and milk.

Tuesday

Breakfast: Stewed prunes, oatmeal, whole milk, fried ham, gravy, bread, butter, honey, and cereal coffee.

Dinner: Pot roast, gravy, scalloped potatoes, carrots, cabbage and raisin salad, bread, cornstarch pudding, and milk.

Supper: Salmon loaf, white beans, peanut butter, bread, honey, butter, and milk.

Wednesday

Breakfast: Apple sauce, cream of wheat, whole milk, fried corn, bread, butter, sirup, and cereal coffee.

Dinner: Roast pork or beef, gravy, baked sweet potatoes, tomatoes, hot biscuits, fruit, and milk.

Supper: Boiled ham, pink beans, bread, butter, rice and raisin pudding, and milk.

Thursday

Breakfast: Fresh fruit, oatmeal, whole milk, corn, boiled eggs, bread and butter, and cocoa.

Dinner: Roast beef, gravy, baked potatoes, spinach, corn bread, chocolate pudding, and milk.

Supper: Spanish beans, bread, honey, cinnamon rolls, fruit, milk, and butter.

Friday

Breakfast: Stewed peaches, corn-meal mush, whole milk, bacon, bread and butter, cereal coffee, or milk.

Dinner: Roast beef or pork, gravy, mashed potatoes, tomatoes, corn bread, bread, pudding, and milk.

Supper: Bean soup, crackers, hash, sliced onions, bread, cookies, milk, honey, and butter.

Saturday

Breakfast: Stewed raisins, corn flakes, whole milk, baked hash, toast, butter, sirup, cereal coffee, or milk.

Dinner: Boiled dinner—meat and vegetables, bread, bread pudding, and milk.

Supper: Baked macaroni and cheese, bread, fruit, honey, butter, and milk.

Fresh vegetables in season from school garden each day.

GLOBE, ARIZ., *February 11, 1929.*

Hon. LYNN J. FRAZIER,
Senate Indian Committee.
Hon. LOUIS C. CRAMTON,
House Indian Committee.
Hon. HENRY F. ASHURST,
Congressional Delegation.
Hon. CHARLES H. BURKE,
Commissioner of Indian Affairs.

GENTLEMEN: A committee of Globe men, chosen by the Globe Luncheon Club and Chamber of Commerce, composed of W. A. Sullivan, secretary of the Globe Chamber of Commerce and manager of the Mine Supply & Hardware Co., as chairman; the Hon. C. C. Faries, judge of the superior court of Gila County, member of the Globe Rotary Club and Chamber of Commerce; Charles L. Walker, manager of the J. C. Penney Co., director of the Globe Lions Club, and member of the chamber of commerce; F. A. Shaffer, attorney in Globe and district governor Forty-third District Rotary Clubs, and member of the chamber of commerce; and Ralph E. Herron, editor of the Arizona Record and member of the chamber of commerce, as members of this committee.

The committee left Globe at 11 o'clock Monday, February 11, to visit and inspect the Indian school at Rice. Upon arriving there they were met by Mr. W. E. Snook, school principal, and Manuel Victor, one of the Apache Indians, who accompanied them on their entire tour of inspection.

BOYS' DORMITORY

The committee first inspected the boys' dormitory. There were two groups of rooms, one for the smaller boys and one for the larger boys. They found the entire place to be clean, well ventilated, and roomy. The general appearance of the building as a whole was good.

BOYS' LAVATORY

This room was equipped with shower baths and other equipment and found to be in a good sanitary condition.

DINING ROOM, KITCHEN, BAKERY, AND STOREROOM

The committee arrived in the dining room as the children were assembling for the noonday meal and inspected the dining room, passing on into the kitchen, bakery, and storeroom. In the kitchen they found the food for that meal ready to be served. This particular meal consisted of mashed potatoes, hash, brown gravy, rice, bread, tomatoes, rice pudding, and all the fresh sweet milk they wanted to drink. Menus for the past two weeks were inspected and found to be similar to the one being served. The committee found the various rooms inspected to be clean and sanitary. They then went back to the dining room and were served the same food for their dinner and in the same manner as the Indian children then eating. The food was wholesome, good, nourishing, well prepared, and thoroughly cooked, and each child was given all the food and milk he cared for. The children were also given plenty of time for their meal.

GIRLS' DORMITORY AND LAVATORY

The committee next inspected the girls' dormitory and found two groups of rooms, one used for the younger girls and one for the older girls. They found both groups of rooms to be clean, sanitary, and very neatly kept. They also inspected one of the beds and found the linen clean, with good mattresses and springs on the beds. The bed linen is changed every Saturday. The general appearance of the various rooms was exceptionally good. In this building was also found the girls' wash room and shower baths, with hot and cold water. This room was also kept in a sanitary condition. While we found the wash room and shower room in good shape, we have been advised that new equipment has been purchased and is ready to be installed.

SEWING ROOM

We found this room equipped with a number of good, serviceable sewing machines and work tables. We were told by Mr. Snook that while the Government purchases the materials, the girls make their own uniforms, and several completed uniforms were hanging on the racks in the room.

LAUNDRY

In this building we found a large steam-operated cylindrical washer, an extractor, and a mangle. On the lines outside this building was part of the wash for this day, which was found to be clean and white. We found that the working conditions in this laundry were very satisfactory. Some of the equipment in this room has been in use for a number of years and is about to be replaced with new, electrically operated, up-to-date equipment.

COMMISSARY

The committee next inspected the commissary where the supplies for the school are kept. In inspection of the various boxes containing foods we found them to contain high-grade brands. We also saw a goodly supply of clothing for the children, including work shirts, hats, shoes, etc. We found this building to be kept in a neat orderly manner and well stocked.

HOSPITAL

The committee next inspected the hospital building, going into the various wards, operating room, dispensary, etc. We found the wards well kept, beds neatly made, very clean, and sanitary. The operating room is well lighted and very fully equipped. The dispensary is well equipped with necessities for a hospital.

SCHOOLROOMS

The next building inspected was the school building, where we found the classes in session. The main point which impressed the committee in their inspection of the school was the happy frame of mind of the children. They seemed well fed, well nourished, healthy, and bright. In each of the various classrooms inspected the weight charts were carefully noted, which showed a high per cent of increase in the weights of the various children. We also noted that the children in the lower grades were being taught the difference between what is good and what is bad in foods. The rooms were found to be well kept, very sanitary, and well lighted. We also found the personnel of the teaching staff to compare favorably with the local public schools.

CONCLUSION

The committee was then taken by Mr. Roy Bradley, superintendent of construction, to see the new school building and auditorium, hospital, etc. These buildings were found to be well constructed and will compare very favorably with similar structures in this city.

The school building, which is built in a U shape, containing three classrooms and a teachers' room on each side with a large assembly hall and gymnasium on the end, will give the children lots of sunlight and plenty of fresh air, and would be a credit to any group of school buildings in the State of Arizona.

We want to commend the principal, Mr. W. E. Snook, for the very efficient manner in which this school is conducted, and the condition of the various buildings inspected.

Respectfully submitted.

W. A. SULLIVAN, *Chairman,*
Manager Mine Supply & Hardware Co., Secretary Globe Luncheon Club and Chamber of Commerce.
C. C. FARIES, *Member,*
Judge Gila County Superior Court, member Rotary Club and Chamber of Commerce.
CHARLES L. WALKER, *Member,*
Manager J. C. Penney Co., director Globe Lions Club, and member Chamber of Commerce.
F. A. SHAFFER, *Member,*
Attorney, District Governor Forty-third District Rotary International, member of Chamber of Commerce.
RALPH E. HERRON, *Member,*
Editor and manager Arizona Record, member of Chamber of Commerce.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN FIELD SERVICE,
Pima Indian Agency, Sacaton, Ariz., February 11, 1929.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: There is transmitted herewith at the request of the Indian Office a copy of a joint report prepared and submitted by Mr. J. F. Brown, Rev. Gerard Brenneke, and Rev. Dirk Lay, covering conditions at the Pima Boarding School, Pima Indian Reservation, Sacaton, Ariz.

Mr. Brown is one of the foremost citizens of Pinal County, president of the Arizona Southwest National Bank of Tucson, Casa Grande, Bisbee, and Douglas, and a former State senator.

Rev. Gerard Brenneke is a priest of the Roman Catholic Church, dean of the Catholic organization of the Pima Indian Reservation, where he has resided for the past five or six years, and the superintendent of a large boarding school. He is a man entirely qualified to pass judgment on boarding-school matters of any nature whatsoever.

Rev. Dirk Lay, D. D., as a Presbyterian missionary to the Pima Indians, has spent 18 years of his life in one continuous, vigorous, and effective effort to shield the Pima Indians from injustice, regardless of the source from which such injustice might come. He is outspoken and aggressive. He knows conditions, past and present, at the Pima Boarding School probably better than any other man. He visits the school practically every day, mingling with employees and pupils. No one could possibly be better qualified to pass judgment as to conditions. No one would be quicker to condemn were these conditions, or any of them, deserving of adverse criticism.

The original of this report is filed in the Indian Office.

Most sincerely,

A. H. KNEALE,
Superintendent.

PIMA INDIAN AGENCY,
Sacaton, Ariz., February 9, 1929.

Supt. A. H. KNEALE,
Pima Indian Agency, Sacaton, Ariz.

SIR: As per your request, we submit herewith the result of our investigation, as follows:

We made a thorough inspection of the entire school plant at Sacaton and have found the conditions of the best.

The bakeshop was in A-1 shape. We insepcted the bread, pies, and cake and found all wholesome and well baked.

The committee visited the dining room during all three meals to-day and found good and sufficient food and a variety, well cooked and well prepared. We examined the menu for the past week and found it varied and well planned.

The kitchen was immaculately clean, everything in orderly condition, under the direction of a splendid Indian cook.

We inspected the meat shop and the meat. It was fresh and well taken care of. The meat shop itself was very clean.

The table is supplied with vegetables from the school garden, which is well stocked and ready for further crops. We inspected the dairy and everything was sanitary. It produced 102 gallons a day during the past week, of which all except 15 gallons a day went to the school and hospital. Fifteen pounds of butter are made daily, all of which is used by the school.

The children are well clothed and housed.

We inspected the hospital and found it in fair shape. Repairs are at present being made.

All the children are inspected regularly and receive proper medical attention.

During Mr. Smith's time here (he is now in his fourth year) there has not been one single case of cruel punishment heard of.

On the inspection of the commissary we found all food and supplies well stored and in perfect order.

The constructive criticism which we would offer is that more dining-room space is needed at once. Likewise, there should be more dormitory room. In our judgment, better fire escapes should be provided at once on the girls' building.

Sincerely yours,

THE COMMITTEE,
J. F. BROWN.
FR. GERARD BRENNEKE.
Rev. DIRK LAY.

HEARINGS BEFORE COMMITTEE ON POST OFFICES AND POST ROADS

The resolution (S. Res. 311) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That Senate Resolution No. 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.

EXPENSES OF GOVERNMENT OF DISTRICT OF COLUMBIA

The bill (S. 5648) to amend section 8 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes" approved March 4, 1913, as amended, was considered as in Committee of the Whole. The bill had been reported from the Committee on the District of Columbia with amendments.

Mr. ROBINSON of Arkansas. Mr. President, I think the bill should be explained. Its purpose does not appear on the face of it. It seems to be a very important bill and deals with elements to be taken into consideration in the fixing of rates by the Public Utilities Commission.

Mr. CAPPER. Yes.

Mr. ROBINSON of Arkansas. What are the changes made in the existing law?

Mr. CAPPER. It clarifies the existing law. It has been worked out very carefully by the Public Utilities Committee of the Federated Citizens' Association, and after their report had been presented to our committee, the Public Utilities Commission appeared before the Senate Committee on the District of Columbia and the bill was perfected to make it satisfactory to the commissioners as well as to the citizens.

The PRESIDENT pro tempore. The time allotted under the unanimous-consent agreement for the consideration of unobjected bills on the calendar having expired, the Chair now lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. The bill (H. R. 8298) authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

BATTLE FIELDS IN VICINITY OF RICHMOND, VA.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 15655) to provide for the study, investigation, and survey, for commemorative purposes, of battle fields in the vicinity of Richmond, Va., was read twice by its title.

Mr. SWANSON. Mr. President, the House of Representatives passed that bill last night. The Senate on yesterday afternoon passed a bill similar in every respect. I ask unanimous consent that the Senate may now proceed to the consideration of the House bill.

The PRESIDENT pro tempore. Is there objection?

Mr. GLASS. I have no objection, and yield to my colleague for that purpose only.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to have made studies, investigations, and surveys of the battle fields in the vicinity of Richmond, in the Commonwealth of Virginia, including the battle field of Cold Harbor, Va., for the purpose of preparing and submitting to Congress a general plan and such detailed project as may be required for properly commemorating such battle fields and other adjacent points of historical and military interest, in accordance with the classification set forth in House Report No. 1071, Sixty-ninth Congress, first session.

SEC. 2. To enable the Secretary of War to carry out the provisions of this act, including the payment of mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the studies, investigations, and surveys, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,800, or so much thereof as may be necessary, to be expended for the purposes of this act.

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

UNITED STATES COURT OF CUSTOMS APPEALS, CONFERENCE REPORT

Mr. NORRIS. Mr. President, I should like to present a conference report and have it acted on at this time, if the Senator from Virginia will yield to me for that purpose.

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

Mr. GLASS. I yield for that purpose only.

Mr. ROBINSON of Arkansas. I ask the Senator from Nebraska what is the nature of the conference report?

Mr. NORRIS. I may present the conference report as a matter of privilege, but I am asking action on it. It does not involve a very serious matter.

The PRESIDENT pro tempore. The Senator from Nebraska presents a conference report which will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6687) entitled "An act to change the title of the United States Court of Customs Appeals, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

G. W. NORRIS,
CHAS W. WATERMAN,
T. J. WALSH,
Managers on the part of the Senate.

GEORGE S. GRAHAM,
SAMUEL C. MAJOR,
ANDREW J. HICKEY,
Managers on the part of the House.

Mr. ROBINSON of Arkansas. What will be the result if the conference report shall be agreed to, I ask the Senator from Nebraska?

Mr. NORRIS. The bill proposes to give to the United States Court of Customs Appeals some jurisdiction in patent appeals as well as in customs cases. It also proposes to change the title of the Court of Customs Appeals. It is not thought they have enough to do and should this legislation be enacted it will give them a little more business and will, to that extent, relieve the other courts.

Mr. ROBINSON of Arkansas. I have no objection to the conference report.

The PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

Mr. GLASS. Mr. President, I will yield to the Senator from Nebraska for the consideration of the report if its consideration will not lead to a lengthy discussion.

There being no objection, the Senate proceeded to consider the report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

EXAMINATION AND RATING OF FLYING SCHOOLS

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5350) entitled "To amend the air commerce act of 1926 with reference to the examination and rating of schools giving instruction in flying," which were, on page 1, line 6, to strike out "necessary"; and on page 1, line 9, after the word "instructors," to insert—

The examinations and ratings provided for in this paragraph shall only be made upon request of the owners or representatives of the air navigation facilities or schools.

Mr. BINGHAM. I move that the Senate concur in the House amendments.

The motion was agreed to.

OLIVER C. MACEY AND MARGUERITE MACEY—CONFERENCE REPORT

Mr. BRUCE and Mr. NYE addressed the Chair.

Mr. GLASS. I yield first to the Senator from Maryland.

Mr. BRUCE. I was going to ask the Senator from Virginia to yield, but I yield to the Senator from North Dakota [Mr. NYE], who I understand desires to present a conference report.

Mr. GLASS. I yield to the Senator from North Dakota to present a conference report.

Mr. NYE. I present the conference report which I send to the desk.

The PRESIDENT pro tempore. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1648) entitled "An act for the relief of Oliver C. Macey and Marguerite Macey," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by said House amendment insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Oliver C. Macey, of Anne Arundel County, Maryland, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 in full compensation for the death of his infant daughter, Eleanor Macey, who was killed December 14, 1925, by reason of the negligence of the operator of a United States Navy commissary truck.

"SEC. 2. The Secretary of the Treasury is also authorized and directed to pay to Marguerite Macey out of any money in the Treasury not otherwise appropriated the sum of $1,250, in full compensation for personal injuries, medical and funeral expenses, and loss of automobile, which resulted by reason of the negligence of the operator of a United States Navy commissary truck."

And the House agree to the same.

THOMAS F. BAYARD,
GERALD P. NYE,
Managers on the part of the Senate.

CHARLES L. UNDERHILL,
JOHN C. BOX,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

LAND TITLES IN TEXAS AND OKLAHOMA

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 196) authorizing and requesting the President of the United States to take steps in an effort to protect citizens of the United States in their equitable titles to land embraced in territory to be transferred from the State of Oklahoma to the State of Texas and from the State of Texas to the State of Oklahoma, as per decree of the Supreme Court of the United States in the case of Oklahoma *v.* Texas (1926, 272 U. S. 21, p. 38), and to give the consent of Congress to said States to enter into a compact with each other and with the United States relating to such subject matter, which were to strike out the preamble; on page 5, to strike out lines 19 to 22, inclusive, and insert:

SEC. 3. That the President of the United States be authorized, and he is hereby requested, to confer with the Governor of the State of Texas and with the Governor of the State of New Mexico to ascertain if negotiations will be entertained to the end that an agreement may be reached between the United States, the State of Texas, and the State of New Mexico, as to the terms upon which said parties mentioned and in interest will accept the land, if any, transferred or to be transferred to each said party by the authority of the final decree of the Supreme Court of the United States in the action styled New Mexico *v.* Texas (vol. 276, p. 557, U. S. Sup. Ct. Repts.).

SEC. 4. In the event the Governor of the State of Texas and the Governor of the State of New Mexico, acting for their respective States, agree to confer with the United States relative to the subject matter mentioned and described in section 1 hereof, the consent of Congress is hereby given to the said State of Texas and to the said State of New Mexico to negotiate and enter into a compact or agreement respecting the matter in this act mentioned, and the President is herein authorized and requested to proceed with such conference and to formulate and suggest a compact or agreement to be presented to the Congress and to the Legislatures of the State of Texas and the State of New Mexico for ratification and if, and when, ratified by each said contracting party, then each said party herein mentioned is hereby authorized to proceed to comply with the obligations in said compact or agreement assumed.

SEC. 5. No such compact or agreement shall be binding or obligatory upon either of the parties herein mentioned unless and until such compact or agreement has been ratified by the legislatures of each of said States affected and mentioned herein and by the Congress of the United States.

And to amend the title so as to read: "Joint resolution authorizing and requesting the President of the United States to take steps in an effort to protect citizens of the United States in their equitable titles to land embraced in territory to be transferred from the State of Oklahoma to the State of Texas and from the State of Texas to the State of Oklahoma as per decree of the Supreme Court of the United States in the case of Oklahoma *v.* Texas (1926, 272 U. S. 21, p. 38) and from the State of New Mexico to the State of Texas and from the State of Texas to the State of New Mexico as per decree of the Supreme Court of the United States in the case of New Mexico *v.* Texas (vol. 276, p. 557, U. S. Sup. Ct. Repts.), and to give the consent of Congress to said States to enter into compacts with each other and with the United States relating to such subject matter."

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

ANDREW T. BAILEY

Mr. BLACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. GLASS. I yield to the Senator from Alabama.

Mr. BLACK. Mr. President, I desire to submit a report from the Committee on Claims.

Mr. GLASS. I yield to the Senator from Alabama for that purpose with the distinct understanding that there will be no discussion of the matter.

Mr. BLACK. I simply desire to ask for the immediate consideration of the measure which I desire to report by reason of the fact that this is probably the only chance the bill will have to pass.

The bill relates to an exceedingly tragic case and its consideration will not take over a minute.

Mr. GLASS. Will the Senator state the case?

Mr. BLACK. The case is that of a convict who was in the Federal penitentiary at Atlanta who performed service for the Government in exposing some very bad conspirators. They got him under their control and blinded him with lye.

The department has recommended the passage of this bill. It originally allowed him $90 per month for life, but the amount has been reduced to $50 per month.

Mr. GLASS. I have no objection to the bill.

The PRESIDENT pro tempore. In the absence of objection the report will be received.

Mr. BLACK. From the Committee on Claims I report back favorably with an amendment the bill (S. 5766) for the relief of Andrew T. Bailey, and I submit a report (No. 1927) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The amendment of the Committee on Claims was in line 6, after the words "sum of" to strike out "$90" and insert "$50," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrew T. Bailey, during his natural life, the sum of $50 per month, to date from the passage of this act, as compensation for the loss of the sight of both eyes while serving as a trusty at the Federal penitentiary at Atlanta, Ga., said monthly payments to be paid through the United States Employees' Compensation Commission.

The amendment was agreed to.

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

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

REPORTS FROM COMMITTEE TO AUDIT AND CONTROL CONTINGENT EXPENSES

Mr. DENEEN. Out of order I report various and sundry resolutions from the Committee to Audit and Control the Contingent Expenses of the Senate and I ask unanimous consent for their immediate consideration. They will lead to no debate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the resolutions will be considered in order.

INVESTIGATIONS BY THE FINANCE COMMITTEE

The resolution (S. Res. 335) submitted by Mr. SMOOT, February 21, 1929, was read, considered by unanimous consent, and agreed to as follows:

Resolved, That the Committee on Finance or any subcommittee thereof be, and hereby is, authorized to sit during the sessions of recesses of the Seventy-first Congress at such times and places as they may deem advisable; to make investigations into internal revenue, customs, currency, and coinage matters, and other matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary; and to report from time to time to the Senate the result thereof; to send for persons, books, and papers, to administer oaths, and to employ such expert, stenographic, clerical, and other assistance as may be necessary; and all of the expenses of such committee shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

LANDS CEDED TO THE UNITED STATES BY MEXICO

The resolution (S. Res. 329) submitted by Mr. BRATTON on February 15, 1929, was read, considered by unanimous consent, and agreed to as follows:

Resolved, That Senate Resolution No. 291, agreed to January 7, 1929, authorizing and directing the Committee on Public Lands and Surveys, or any subcommittee thereof, to investigate the cession of lands by the Government of Mexico to the United States, as fully set forth in said resolution, hereby is continued and extended in full force and effect until the end of the first regular session of the Seventy-first Congress, and that $5,000, in addition to the amount heretofore authorized, hereby is authorized to be expended from the contingent fund of the Senate in furtherance of the purposes of said resolution.

PRESERVATION OF THE NIAGARA FALLS

The resolution (S. Res. 333) submitted by Mr. BORAH on February 20, 1929, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, hereby is authorized and directed during the sessions, recesses, or adjourned periods of the Seventy-first Congress to investigate the subject of the convention and protocol between the

United States and His Majesty the King of Great Britain for the preservation and improvement of the scenic beauty of the Niagara Falls and rapids, concluded at Ottawa on January 2, 1929.

For the purposes of this resolution such committee or subcommittees is authorized to hold hearings, to sit and act at such times and places, to employ such stenographic and other assistance, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of such stenographic service to report such hearings and testimony shall not be in excess of 25 cents per 100 words. The expenses of such committee or subcommittee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers properly approved.

COMMITTEE ON AGRICULTURE AND FORESTRY

The resolution (S. Res. 336) submitted by Mr. McNARY on February 23, 1929, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, hereby is authorized during the Seventy-first Congress to send for persons, books, and papers, to administer oaths and to employ a stenographer at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

NATIONAL PARKS

The resolution (S. Res. 316) submitted by Mr. ASHURST on January 29, 1929, was read and considered by unanimous consent. The resolution had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment on page 2, line 5, after the word "Senate," to insert "and shall not exceed $12,500," so as to make the resolution read:

Resolved, That the Committee on Public Lands and Surveys, or any subcommittee thereof, be, and it is hereby, authorized and directed to investigate the advisability of establishing certain additional national parks and the proposed changes in, boundary revisions of, and matters relating to other national parks. For the purpose of carrying out the provisions of this resolution such committee or subcommittee is hereby authorized to sit, act, and perform its duties at such times and places as it deems necessary or proper; to require by subpœna or otherwise the attendance of witnesses; to require the production of books, papers, documents, and other evidence; and to administer such oaths and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic service to report such hearings shall not exceed 25 cents per 100 words. The expenses of such committee or subcommittee shall be paid from the contingent fund of the Senate, and shall not exceed $12,500. The committee or subcommittee shall make a report as to its findings during the first regular session of the Seventy-first Congress, together with recommendations for such legislation as it deems necessary.

The amendment was agreed to.

Mr. HEFLIN. Is that the resolution in which the Senator from Tennessee [Mr. McKELLAR] is interested?

The PRESIDENT pro tempore. The Chair is informed that it is not.

The resolution as amended was agreed to.

CLAIMS OF NORTHWESTERN BANDS OF SHOSHONE INDIANS

Mr. FRAZIER. Mr. President——

Mr. GLASS. I will yield to the Senator from North Dakota if he has a matter that will not require discussion.

Mr. FRAZIER. I submit a conference report on Senate bill 710 and ask unanimous consent that it may be considered at this time. The matters in disagreement between the two Houses have been composed.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 710) conferring jurisdiction upon the Court of Claims to hear, adjudicate, and render judgment in claims which the Northwestern Bands of Shoshone Indians may have against the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 2.

That the Senate recede from its disagreement to the amendments of the House numbered 3 and 4, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: After the words "for the benefit of any" and before the words "of said Indians" insert the words "band or bands," so as to make the amendment read: "Any payment which may have been made by the United States, including gratuities for the benefit of any band or bands of said Indians or for their support and civilization, shall not operate as an estoppel, but may be pleaded as a set-off in said suit"; and the House agree to the same.

LYNN J. FRAZIER,
THOS. D. SCHALL,
HENRY F. ASHURST,
Managers on the part of the Senate.

SCOTT LEAVITT,
W. H. SPROUL,
JOHN M. EVANS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

ROAD CONSTRUCTION IN LATIN-AMERICAN REPUBLICS

Mr. ODDIE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Nevada?

Mr. ODDIE. I ask the Senator from Virginia if he will yield for a few minutes in order that I may call up a bill which I think can be passed without much debate.

Mr. GLASS. I will not yield for any matter that is going to require discussion, I may say to the Senator.

Mr. ODDIE. I will be willing to drop the matter if the bill can not be disposed of in a few minutes.

Mr. GLASS. Very well, I yield.

Mr. ODDIE. I ask unanimous consent for the immediate consideration of Order of Business 825, being the bill (S. 1718) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the Governments of the Latin-American Republics in highway matters. The bill has been indorsed by the Bureau of Public Roads and practically every road organization in the United States. It has been before the Senate for some time. I think the bill can be disposed of in a few minutes.

Mr. BRUCE. Mr. President, I really think that is a matter of so much importance that it can not properly be considered at this time.

The PRESIDENT pro tempore. Objection is made.

Mr. GLASS. If it is going to create discussion, I will ask that the bill go over.

Mr. ODDIE. The Senator from Utah had some objections to the bill, but I think in a few minutes he can be convinced as to its propriety.

Mr. BRUCE. There are several other Senators who object.

The PRESIDENT pro tempore. Objection is made.

BRONZE TABLETS IN ANDERSONVILLE NATIONAL CEMETERY, GA.

Mr. REED of Pennsylvania. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. REED of Pennsylvania. Mr. President, I wish to ask unanimous consent, with the permission of the Senator from Virginia, to report and have considered a bill authorizing the Women's Relief Corps to renew the iron markers in the Andersonville National Cemetery with bronze markers of the same type. The tablets contain, respectively, Lincoln's Gettysburg Address and General Logan's Memorial Day Order No. 11. The present cast-iron markers are worn out, and the Women's Relief Corps asks permission to replace them with proper bronze design. The bill is reported unanimously from the Military Affairs Committee.

Mr. GLASS. I yield for that purpose.

Mr. REED of Pennsylvania. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 15330) authorizing acceptance by the United States Government from the Women's Relief Corps, auxiliary to the Grand Army of the Republic, of proposed gifts of bronze tablets to be placed in Andersonville National Cemetery, in Georgia.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to accept from the Woman's Relief Corps, auxiliary to the Grand Army of the Republic, a gift of bronze tablets, containing Lincoln's Gettysburg address, and Logan's Memorial Day Order

No. 11, to be placed on the grounds of the Andersonville National Cemetery in the State of Georgia, all expenses incident to the erection to be paid by the Woman's Relief Corps.

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

NEW JERSEY SENATORIAL ELECTION

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Oregon?

Mr. GLASS. For what purpose?

Mr. McNARY. On a privileged matter. A few days ago on behalf of the Special Committee to Investigate Campaign Expenditures in senatorial primaries and elections I filed a report in connection with the primary campaign in the State of New Jersey last spring. The report is on the table, and, inasmuch as the Vare case has been disposed of this morning, I am sure there will be no objection to the consideration of the report submitted by me. Being a privileged question, I ask that it be submitted to the Senate, and I move its adoption.

The PRESIDENT pro tempore. The report being a privileged matter, it is laid before the Senate, and the question is on agreeing to the motion of the Senator from Oregon.

Mr. BLAINE. Mr. President, I have not seen the report and have not read a line of it, and there are a number of Senators who are absent at this time.

Mr. McNARY. The report is very brief. If the Senator from Wisconsin has not had an opportunity to read the report, I will be glad to ask that the clerk read it.

Mr. KING. Let me say to the Senator from Wisconsin that I had the honor to serve with the Senator from Oregon on the committee and the report is entirely satisfactory. I think it is conformable to the facts, and there could be no other report in the light of the evidence.

Mr. McNARY. Yes; the report comes with the unanimous report of the special committee. I ask that the report may be read.

The PRESIDENT pro tempore. The clerk will read.

The Chief Clerk read the report (No. 1861) submitted by Mr. McNARY from the special committee investigating expenditures in senatorial primaries and general elections on February 22, 1929, as follows:

On the 16th day of May, 1928, the Senate of the United States passed the following resolution:

"Senate Resolution 232

"*Resolved*, That the special committee of five, consisting of three Members selected from the majority political party, of whom one is a Progressive Republican, and of two Members from the minority political party appointed by the President of the Senate, and which special committee was created by the adoption of Senate Resolution 195 on May 19, 1926, and January 11, 1927, of Senate Resolution 324, by the first and second sessions of Congress (Sixty-ninth) is hereby authorized and instructed immediately to investigate what moneys, emoluments, rewards, or things of value, including agreements or understandings of support for appointment or election to office, have been promised, contributed, made, or expended, or shall hereafter be promised, contributed, expended, or made, by any person, firm, corporation, or committee, organization, or association, to influence the nomination of any person as a candidate of any political party or organization for membership in the United States Senate, or to contribute to or promote the election of any person as a Member of the United States Senate from the State of New Jersey at the general election to be held in November, 1928. Said committee shall report the names of the persons, firms, or corporations, or committees, organizations, or associations, that have made or shall hereafter make such promises, subscriptions, advancements, or payments, and the amount of them severally contributed or promised as aforesaid, including the method of expenditure of said sums or the method of performance of said agreements, together with all facts in relation thereto.

"Said committee is hereby empowered to sit and act at such time or times and at such place or places as it may deem necessary; to require by subpœna or otherwise the attendance of witnesses, the production of books, papers, and documents; and to do such other acts as may be necessary in the matter of said investigation.

"The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

"Said committee shall promptly report to the Senate the facts by it ascertained."

Thereafter, because of the pressing engagements of certain members of the committee and the consequent inability of the full committee to sit and take evidence, the following subcommittee was appointed to hear the case: CHARLES L. McNARY and WILLIAM H. KING.

The said subcommittee held four hearings—on June 4, 5, 11, and 13, 1928.

There were called before the subcommittee substantially all of the candidates for the office of United States Senator from New Jersey, subject to the primary held on the 15th day of May, 1928, which resulted in the nomination of Hamilton Fish Kean as the Republican candidate, and EDWARD I. EDWARDS as the Democratic candidate. Senator EDWARDS was unopposed in the primary and no charge of any irregularity was made in connection with his campaign. The other candidates for the Republican nomination were ex-Senator Joseph S. Frelinghuysen, ex-Governor E. C. Stokes, Mr. Edward Gray, and Mrs. Lillian F. Feickert. All of these candidates were called and heard by the subcommittee.

The subcommittee likewise heard the testimony and received the accounts of receipts and expenditures of the campaign managers of the respective candidates.

The laws of New Jersey provide that no more than $50,000 may be expended by or on behalf of a candidate for any State or national office at either a primary or general election.

There was no evidence of any character produced which would indicate that any of the candidates for United States Senator expended more than the statutory allowance.

Beyond certain statements made by newspapers and general charges by candidates during the heat of the campaign, which were unsupported by any evidence, that a great deal of money had been expended, chiefly in northern New Jersey and Atlantic City, there were no allegations of specific instances of election fraud. The subcommittee inquired carefully into these charges, and the committee is of the opinion that, while probably made in good faith, they were without substance and wholly unsupported by any testimony or evidence whatsoever.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

The PRESIDENT pro tempore. The report is adopted.

REPORTS OF COMMITTEES

Mr. ODDIE, from the Committee on Naval Affairs, to which was referred the bill (S. 4661) to place Norman O. Ross on the retired list of the Navy, reported it with amendments and submitted a report (No. 1923) thereon.

Mr. STEIWER, from the Committee on the Judiciary, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 3572) authorizing an appropriation for the purpose of defraying expenses incident to the making of a comprehensive survey covering the requirements of a Federal penal system (Rept. No. 1925); and

A bill (H. R. 10431) to amend the act establishing the eastern judicial district of Oklahoma (Rept. No. 1926).

Mr. McMASTER, from the Committee on Military Affairs, to which was referred the bill (S. 5202) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in the State of Florida, reported it without amendment and submitted a report (No. 1924) thereon.

Mr. WAGNER, from the Committee on Military Affairs, to which was referred the bill (S. 3691) to correct the military record of Charles W. Townsend, reported it with an amendment and submitted a report (No. 1929) thereon.

Mr. METCALF, from the Committee on Patents, to which was referred the bill (S. 3815) directing that copies of certain patent specifications and drawings be supplied to the public library of the city of Los Angeles at the regular annual rate, reported it with an amendment and submitted a report (No. 1930) thereon.

Mr. CARAWAY, from the Committee on Claims, to which was referred the bill (S. 5715) for the relief of J. H. B. Wilder, reported it without amendment and submitted a report (No. 1928) thereon.

Mr. WATERMAN, from the Committee on Claims, to which was referred the bill (H. R. 14897) for the relief of Matthias R. Munson, reported it without amendment and submitted a report (No. 1931) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 3722) for the relief of Robert C. Osborne (Rept. No. 1932); and

A bill (H. R. 7976) for the relief of Mrs. Moore L. Henry (Rept. No. 1933).

Mr. CAPPER also, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15387) to amend the act of February 9, 1907, entitled "An act to define the term 'registered nurse' and to provide for the registration of

nurses in the District of Columbia," reported it with amendments and submitted a report (No. 1980) thereon

Mr. NYE, from the Committee on Claims, to which was referred the bill (S. 4336) for the relief of D. B. Traxler, president of the Realty Corporation of Greenville, S. C., reported it with an amendment and submitted a report (No. 1935) thereon.

He also, from the same committee, to which was referred the bill (S. 4308) for the relief of Maj. H. E. Miner, Capt. A. J. Touart, Capt. J. L. Hayden, Capt. H. H. Pohl, First Lieut. C. C. Jadwin, and First Lieut. F. B. Kane, United States Army, reported it without amendment and submitted a report (No. 1934) thereon.

Mr. DENEEN, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 4440) for the relief of Frederick O. Goldsmith (Rept. No. 1936);

A bill (H. R. 7330) for the relief of E. M. Gillett and J. H. Swenarton (Rept. No. 1937); and

A bill (H. R. 10508) for the relief of T. P. Byram (Rept. No. 1938).

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 3340) for the relief of W. L. Inabnit, reported it without amendment and submitted a report (No. 1939) thereon.

Mr. STEIWER, from the Committee on Claims, to which was referred the bill (H. R. 12475) for the relief of Alfred L. Diebolt, sr., and Alfred L. Diebolt, jr., reported it with amendments and submitted a report (No. 1978) thereon.

Mr. WALSH of Massachusetts, from the Committee on Finance, to which was referred the bill (H. R. 4029) for the relief of Maude A. Sanger, reported it without amendment and submitted a report (No. 1979) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 15570) authorizing S. R. Cox, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near New Martinsville, W. Va. (Rept. No. 1940);

A bill (H. R. 15715) authorizing Eugene Rheinfrank, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Maumee River at or near its mouth (Rept. No. 1941);

A bill (H. R. 15717) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Stanton, N. Dak. (Rept. No. 1942);

A bill (H. R. 15718) granting the consent of Congress to the commissioners of the county of Lake, State of Indiana, to reconstruct, maintain, and operate a free highway bridge across the Grand Calumet River, at or near Lake Street, in the city of Gary, county of Lake, Ind. (Rept. No. 1943);

A bill (H. R. 15916) to provide for the construction of a new bridge across the South Branch of the Mississippi River from Sixteenth Street, Moline, Ill., to the east end of the island occupied by the Rock Island Arsenal (Rept. No. 1944);

A bill (H. R. 16126) granting the consent of Congress to the commissioners of the county of Lake, State of Indiana, to reconstruct, maintain, and operate a free highway bridge across the Grand Calumet River, at a point suitable to the interests of navigation, at or near Cline Avenue, in the cities of East Chicago and Gary, county of Lake, Ind. (Rept. No. 1945);

A bill (H. R. 16205) authorizing the Fayette City Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near Fayette City, Fayette County, Pa. (Rept. No. 1946);

A bill (H. R. 16345) authorizing Frank A. Augsbury, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River at or near Morristown, N. Y. (Rept. No. 1947);

A bill (H. R. 16382) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky. (Rept. No. 1948);

A bill (H. R. 16383) to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky. (Rept. No. 1949);

A bill (H. R. 16384) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burkesville, Cumberland County, Ky. (Rept. No. 1950);

A bill (H. R. 16385) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky. (Rept. No. 1951);

A bill (H. R. 16386) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky. (Rept. No. 1952);

A bill (H. R. 16387) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Iuka, Ky. (Rept. No. 1953);

A bill (H. R. 16388) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky. (Rept. No. 1954);

A bill (H. R. 16389) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River (Rept. No. 1955);

A bill (H. R. 16423) to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex. (Rept. No. 1956);

A bill (H. R. 16425) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr. (Rept. No. 1957);

A bill (H. R. 16426) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Nebraska City, Nebr. (Rept. No. 1958);

A bill (H. R. 16427) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near the mouth of Indian Creek in Russell County, Ky. (Rept. No. 1959);

A bill (H. R. 16430) to extend the times for commencing and completing the construction of a bridge across the Kanawha River between Henderson and Point Pleasant, W. Va. (Rept. No. 1960);

A bill (H. R. 16431) to extend the times for commencing and completing the construction of a bridge across the Kanawha River between Henderson and Point Pleasant, W. Va. (Rept. No. 1961);

A bill (H. R. 16433) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Decatur, Nebr. (Rept. No. 1962);

A bill (H. R. 16448) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn. (Rept. No. 1963);

A bill (H. R. 16499) to extend the times for commencing and completing the construction of a bridge across the Kanawha River at or near St. Albans, Kanawha County, W. Va. (Rept. No. 1964);

A bill (H. R. 16531) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Golconda, Ill. (Rept. No. 1965);

A bill (H. R. 16603) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Arat, Cumberland County, Ky. (Rept. No. 1966);

A bill (H. R. 16604) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Center Point, in Monroe County, Ky. (Rept No. 1967);

A bill (H. R. 16605) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Creelsboro, in Russell County, Ky. (Rept. No 1968);

A bill (H. R. 16606) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Neelys Ferry, in Cumberland County, Ky. (Rept. No. 1969);

A bill (H. R. 16609) extending the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, Tyler County, W. Va. (Rept. No. 1970);

A bill (H. R. 16610) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Chester, Randolph County, Ill. (Rept. No. 1971);

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. (Rept. No. 1972);

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. (Rept. No. 1973);

A bill (H. R. 16791) to extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Point Marion, Pa. (Rept. No. 1974);

A bill (H. R. 16818) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va. (Rept. No. 1975); and

A bill (H. R. 17020) to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y. (Rept. No. 1976).

BILLS INTRODUCED

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

By Mr. DILL:

A bill (S. 5888) to extend the times for commencing and completing the construction of a bridge across the Columbia River at Entiat, Wash.; to the Committee on Commerce.

By Mr. METCALF:

A bill (S. 5889) for the relief of Henry R. Diette; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 5890) relative to the extension and remodeling of the public building at Salt Lake City, Utah; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 17223, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 4, after line 13, insert the following:

"LIBRARY OF CONGRESS

"Printing and binding: For printing and binding the indexes and digests of State legislation required to be prepared by the act of February 10, 1927 (U. S. C., Supp. I, p. 4, secs. 164, 165), fiscal years 1929 and 1930, $5,000."

Mr. FLETCHER submitted an amendment intended to be proposed by him to House bill 17223, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows: On page 77, line 21, strike out "$425,000" and insert in lieu thereof "$850,000," and strike out "$1,775,000" and insert in lieu thereof "$2,200,000."

Mr. FLETCHER also submitted amendments intended to be proposed by him to House bill 17223, the second deficiency appropriation bill, which (with an accompanying paper) was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 77, after line 21, insert the following:

Key West (Fla.) post office, etc.: For commencement of construction, $100,000, under an estimated total cost of $500,000.

Kissimmee (Fla.) post office: For commencement of construction, $25,000, under an estimated total cost of $100,000.

On page 78, after line 9, insert the following:

Lake City (Fla.) post office: For commencement of construction, $25,000, under an estimated total cost of $100,000.

CHANGE OF REFERENCE

On motion of Mr. BROOKHART, the Committee on the Judiciary was discharged from the further consideration of the bill (S. 1994) to amend section 5197 of the Revised Statutes, as amended, and for other purposes, and it was referred to the Committee on Banking and Currency.

ASSISTANT IN SENATE DOCUMENT ROOM

Mr. WATSON submitted the following resolution (S. Res. 342), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to appoint an assistant in the Senate document room, at a compensation of $1,800 per annum, to be paid out of the contingent fund of the Senate, until the end of the Seventy-first Congress.

SECOND DEFICIENCY APPROPRIATIONS

Mr. WARREN. I report back from the Committee on Appropriations favorably with amendments the bill (H. R. 17223) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, June 30, 1930, and for other purposes, and I submit a report (No. 1981) thereon. I should like at some time to-morrow, at the pleasure of the Senate, to call up the bill for disposal.

NOTICE OF MOTION TO SUSPEND RULES

Mr. BARKLEY submitted the following notice, which was read:

Pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 1 of rule 16, for the purpose of proposing to the bill (H. R. 17223) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, June 30, 1930, and for other purposes, the following amendment, viz, on page 63, after line 6, insert the following:

"Rural sanitation: For additional amounts for special studies of, and demonstration work in, rural sanitation, including personal services, the sum of $130,500: *Provided*, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees to pay one-half the expenses of such demonstration work."

PRINTING OF VARIOUS DOCUMENTS

Mr. CAPPER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Kansas?

Mr. GLASS. For what purpose?

Mr. CAPPER. I desire to make several reports from the Committee on Printing. They will not require any discussion.

Mr. GLASS. Very well; I yield, Mr. President.

Mr. CAPPER. At the request of the senior Senator from Minnesota [Mr. SHIPSTEAD], the chairman of the Printing Committee, who is absent on account of illness, I report back favorably House Concurrent Resolution 57, House Concurrent Resolution 56, and House Concurrent Resolution 37.

The PRESIDENT pro tempore. Without objection, the reports will be received.

CONGRESSIONAL DIRECTORY

Mr. CAPPER. I ask unanimous consent for the present consideration of House Concurrent Resolution 57, to provide for the printing of the first edition of the Congressional Directory of the first session of the Seventy-first Congress.

There being no objection, the concurrent resolution was considered by the Senate and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That an edition of the Congressional Directory for the first session of the Seventy-first Congress be compiled, prepared, indexed, and published under the direction of the Joint Committee on Printing, as provided for in section 73 of the printing act approved January 12, 1895.

STATUES OF HENRY CLAY AND DR. EPHRAIM M'DOWELL

Mr. CAPPER. I ask unanimous consent for the immediate consideration of House Concurrent Resolution 56, to provide for the printing and binding of the proceedings in Congress and in Statuary Hall at the unveiling upon the acceptance of the statues of Henry Clay and Dr. Ephraim McDowell, presented by the State of Kentucky, and for the disposition of the 2,500 copies authorized to be printed.

There being no objection, the concurrent resolution was considered by the Senate and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, upon the acceptance of the statues of Henry Clay and Dr. Ephraim McDowell, presented by the State of Kentucky, 5,000 copies of which 1,000 shall be for the use of the Senate and 2,500 copies for the use of the House of Representatives, and the remaining 1,500 copies shall be for use and distribution of the Senators and Representatives in Congress from the State of Kentucky.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable illustrations to be bound with these proceedings.

HEARINGS ON STABILIZATION OF PRICE LEVEL OF COMMODITIES

Mr. CAPPER. I ask unanimous consent for the present consideration of House Concurrent Resolution 37, to print 3,000 additional copies of the hearings during the Sixty-ninth Congress on the bill (H. R. 7895) relating to the stabilization of the price level of commodities.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Printing, with amendments.

The amendments were, in line 6, before the word "thousand," to strike out "three" and insert "five"; and at the end of line 8, before the word "relating," to insert: "and 5,000 additional copies of the hearings held during the Seventieth Congress on the bill (H. R. 11806) both"; so as to make the concurrent resolution read:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the printing act, approved March 1, 1907 (U. S. C., title 44, p. 154), the Committee on Banking and Currency of the House of Representatives is empowered to have printed for its use 5,000 additional copies of the hearings held before such committee during the Sixty-ninth Congress, first session,

on the bill (H. R. 7895) and 5,000 additional copies of the hearings held during the Seventieth Congress on the bill (H. R. 11806) both relating to the stabilization of the price level of commodities.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

ADDITIONAL JUDGES, EASTERN DISTRICT OF NEW YORK

Mr. BORAH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14679) to provide for the appointment of two additional judges of the District Court of the United States for the Eastern District of New York having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment No. 1 and also recede from its amendment to the title.

WM. E. BORAH,
CHAS. W. WATERMAN,
T. J. WALSH,
Managers on the part of the Senate.

GEORGE S. GRAHAM,
HATTON W. SUMNERS,
F. H. LAGUARDIA,
Managers on the part of the House.

The report was agreed to.

CALLING OF THE ROLL

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

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

Mr. WATERMAN. My colleague the senior Senator from Colorado [Mr. PHIPPS] is detained at home on account of illness. This announcement may stand for the day.

Mr. NYE. I desire to announce the absence of the senior Senator from Minnesota [Mr. SHIPSTEAD] on account of serious illness.

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

FARMERS' PRODUCE MARKET

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8298) authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Maryland [Mr. TYDINGS]. The Senator from Virginia [Mr. GLASS] has the floor.

Mr. BRUCE. Mr. President, will the Senator yield for just a moment?

Mr. GLASS. I yield to the Senator from Maryland.

Mr. BRUCE. I simply want to have sent to the desk and have read three brief telegrams relating to the pending bill.

Mr. GLASS. I suggest that the Senator have then inserted in the RECORD.

Mr. BRUCE. They are too good.

Mr. GLASS. I could match them with a dozen others. It is just consuming time.

Mr. BRUCE. I will not do it if the Senator objects, of course. They are very brief, and I should like to have them read.

Mr. GLASS. Have them inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, the telegrams will be printed in the RECORD.

Mr. BRUCE. If the Senator will yield just a moment further, I should like to have the clerk retain those telegrams so that I may read them myself when I make some remarks on the bill.

Mr. TYDINGS. Mr. President——

Mr. GLASS. I yield to the junior Senator from Maryland.

Mr. TYDINGS. The pending amendment to this bill is an amendment offered by me. I ask unanimous consent to withdraw the amendment.

The PRESIDENT pro tempore. Without objection, consent is granted for the withdrawal of the amendment.

Mr. GLASS. Mr. President——

The PRESIDENT pro tempore. The Senator from Virginia is recognized.

Mr. GLASS. I move the passage of the bill.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. CAPPER. Mr. President, I offer an amendment to the pending bill.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike out the period and insert a colon and the following proviso:

Provided, however, That the acquirement of such site or any other site in lieu thereof shall be subject to the prior approval of the Secretary of Agriculture, the National Capital Park and Planning Commission, and the superintendent of markets, or a majority thereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. GLASS. Mr. President, I may say to the Senate that I hope none of these amendments will be adopted, for the simple reason that that would involve further action on the part of the House, and at this late date of the session that would be impossible. I hope the amendment will be voted down.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. HEFLIN. Mr. President, I want to ask the Senator from Virginia if I understood him correctly that if these amendments are put on they will change the House bill?

Mr. GLASS. Yes.

Mr. HEFLIN. And if the bill passes as it comes from the House it is through?

Mr. GLASS. Yes. The amendment of the bill will make it impossible to enact any legislation at all.

Mr. CAPPER. Mr. President, may I say just a word to explain my amendment?

Mr. GLASS. I yield to the Senator.

Mr. CAPPER. Mr. President, there is very strong opposition in the District of Columbia to the location of the farmers' market in the southwest. I should say the sentiment of the consumers of the city is overwhelming in opposition to the bill as it is now before the Senate.

I have been appealed to in the last 30 days by the representatives of nearly all of the leading civic and citizens' associations. The Federated Citizens' Associations are unanimously opposed to the proposition as it is now before the Senate. The General Federation of Women's Clubs, representing the women's organizations of the city, have appealed for an amendment to the bill, so that a more central location might be obtained. The Central Labor Union has come to the Capitol, represented by a very strong committee of that organization, and appealed to me and appealed to other Members of the Senate to have the bill amended, protesting in most vigorous terms against the proposed location in the southwest as being inconvenient from the standpoint of the consumer and inaccessible to any considerable number of the people of the District.

A very large percentage of the farmers who are interested in this measure are opposed to this location. In the hearings before our committee it was shown that at least 80 per cent of the farmers objected to the southwest location.

Since then many of them have given evidence of their opposition by moving to a more central site, such as the Convention Hall Market. In my opinion, it would be inconvenient to the consumers of the city, it would be inconvenient to the farmers, and the taxpayers of the city I know are almost overwhelmingly opposed to the expenditure of $300,000 for a farmers' market, or a retail market, away off in the southwest part of the city.

Mr. GLASS. Mr. President, of course, I utterly deny the accuracy of the statements made by the Senator from Kansas. So far as the record shows, the overwhelming sentiment of the taxpayers of this community is in favor of the bill we are called upon now to consider. The action of certain associa-

tions was a negative rather than an affirmative action as to the geographical location of a market. The meetings held by these associations were literally attenuated and nonrepresentative, the whole thing engineered by a single individual.

With respect to this amendment I may say here now that this bill has received the almost unanimous indorsement of the District of Columbia Committee of the other branch of Congress, after searching hearings, held over an extended period. It received an overwhelming majority in the House.

The southwest site has received specific indorsement of the Board of Commissioners of the District of Columbia. It has received the unmistakable approval of the National Fine Arts Commission. It has received the approval of every director of traffic in the District of Columbia for the last three years. It has received the overwhelming approval of the District of Columbia Grocers' Society, in whose membership are embraced 200 retail stores. It has received the approval of the Southwest Citizens' Association, the Trinidad Citizens' Association, the Barry Farm Citizens' Association, the Southeast Washington Citizens' Association, the Du Pont Circle Citizens' Association, the Park View Citizens' Association, the Arlington Citizens' Association, the Washington City Club, the Twentieth Century Club, the Southwest Business Men's Association, and of practically every hotel located in Washington; and the hotels are the largest patrons of the proposed market. It received the approval of Harvey's Restaurant, the Wallace Cafés, the Old Dutch Market, and Cornwell & Co. It has received the approval of a majority of the produce commission merchants of the city of Washington. So that the statement made by the Senator from Kansas is not borne out by the record.

Now, I am ready for a vote on this proposed amendment.

Mr. GLASS. Mr. President, the average man who finds himself beaten in any cause is willing to resort to any proposition that will extricate him from his difficulty. That is the meaning of this proposed amendment. There has been an investigation of this matter over and over again within the last three years. There is not a fact to be ascertained that is not already now known. The whole thing has been reviewed, repeatedly reviewed, and as I indicated a little while ago, the proposed southwest site has been approved over and over again by the representative and interested bodies of the District of Columbia.

A moment ago the Senator from Maryland said the Fine Arts Commission was not in favor of this site. I hold in my hand a letter on the stationery of the Commission of Fine Arts, dated January 27 of last year, addressed to Mr. Wrisley Brown, as follows:

> MY DEAR MR. BROWN: As requested by you, I am writing to say that the legislation providing for the elimination of grade crossings within the District of Columbia was designed to permit the use of lands in southwest Washington for commercial purposes.
>
> The plans of 1901 for the improvement of the city of Washington recognized this situation, and in the treatment of the Mall provision was made for the crossing of that space by north and south bound traffic. Nothing in these plans and nothing in any subsequent plans has changed the situation. On the contrary, the provision made for an open plaza on the west of the Capitol and Second Street, for the opening of Ninth Street through the Mall, and also for the opening of Fifteenth Street, was indorsed by the commission. These plans are still being adhered to.

That letter was written to Major Brown in response to a protest against the southwest market site upon the plea that it would interfere with the program for the beautification of the Mall.

It has been stated here by the Senators from Maryland that the board of efficiency had reported against this southwest site. How accurate that is the Senate may judge from a simple statement of the facts.

After the House Committee on the District of Columbia had officially reported in favor of this southwest site, one attaché of the Bureau of Efficiency, to wit, a man who had been a zealot for the Patterson-tract site and opposed to the southwest site, made a survey of his own and reported it unofficially, and after the matter had been officially determined by the District Committee, and it is that report, and no report from the Bureau of Efficiency officially sanctioned by the bureau, that the Senator from Maryland speaks of.

Mr. TYDINGS rose.

Mr. GLASS. I am willing to be interrupted.

Mr. TYDINGS. If the Senator will just wait one minute, I will read him the unanimous report signed by the Bureau of Efficiency and verified by a letter showing, after a survey, that they are unalterably opposed to his proposition. Does the Senator want me to get that and read it?

Mr. GLASS. There is no such report as that in the record.

Mr. TYDINGS. Does the Senator want me to get that report?

Mr. GLASS. Of course I want the Senator to get it. I want him to verify every statement made here.

Mr. TYDINGS. Is it not a fact also that the Senator said that Colonel Brown—I think he is called—of that commission is for it, and did not Colonel Brown come and tell the Senator he was not for it, though the Senator made that statement on the floor?

Mr. GLASS. He did not.

Mr. TYDINGS. Did not the Senator then say you could not believe him; he did not know which side he was on?

Mr. GLASS. Mr. Brown came to me and told me he was not against the southwest site.

Mr. TYDINGS. Did he not write the Senator a letter, a copy of which I have, telling the Senator he was against it after that?

Mr. GLASS. He wrote me a letter which made the matter dubious, and I told him I would not trust him to state any proposition.

Mr. BRUCE. Mr. President, the Senator is like King David—in his haste he calls all men liars.

Mr. GLASS. No; I do not do anything of the kind, and that exemplifies the accuracy of the Senator from Maryland.

Mr. BRUCE. I say the Senator's statements are most grossly partisan——

Mr. GLASS. I decline to be interrupted by the Senator if he is going to affront me with such unparliamentary language.

Mr. BRUCE. If the Senator will allow me for a moment——

Mr. GLASS. No; I will not allow the Senator for a moment.

Mr. BRUCE. Then I will allow myself.

Mr. GLASS. If the Senator wants to affront me, he must do it in his own time.

Mr. BRUCE. The Senator does not select any time for affronts, because he is always affronting.

Mr. GLASS. The Senator from Maryland is now out of order as he usually is.

I have stated the exact facts in the case, that the so-called report from the Bureau of Efficiency presented here yesterday by the senior Senator from Maryland was not an official report of that bureau, but it was the partisan report of an attaché of that bureau who, in his capacity as a citizen of the District of Columbia, had been an unreasoning zealot in the advocacy of a certain site behind which are marshalled all the real-estate speculators of this syndicate. It was not an official report of the Bureau of Efficiency.

So yesterday the senior Senator from Maryland presented here what purported to be a report from the National Park and Planning Commission of the District of Columbia. Within the last hour and a half Mr. Frederick A. Delano, one of the outstanding members of that commission, told me in the anteroom of the Senate Chamber that the commission had adopted no report against the southwest site. What the Senator from Maryland presented was the individual opinion of an Army officer characterized by his superior, General Jadwin, as without economic information on the subject.

Mr. TYDINGS. Does the Senator want the report from the Bureau of Efficiency? Would he like me to read it?

Mr. GLASS. No; the Senator can read it in his own time.

Mr. TYDINGS. I thought so.

Mr. GLASS. With these statements I am perfectly willing to vote on the amendment proposed by the Senator from Kansas [Mr. CAPPER].

Mr. BRUCE. The fact that the National Capital Park and Planning Commission was opposed to the southwest site and the fact that the United States Bureau of Efficiency also was opposed to that site are evidenced by the report of the minority of the House committee which dealt with the question which we are now discussing. I ask Senators to listen to me for just a moment. In that minority report it was said:

> Seventh. We believe that the recommendation of the National Capital Park and Planning Commission deserves primary consideration. After making a careful study of the principal sites involved, the National Capital Park and Planning Commission, assisted by representatives from the United States Department of Agriculture and the Bureau of Markets in the District, and the foremost landscape architects and consulting engineers in this country, recommended the site next to the Eckington yards as their preference.

That is to say, the Eckington site, north of Pennsylvania Avenue. I can only suppose that there was a time when the Senator from Virginia was familiar with what I am reading, but that he has since forgotten it.

Then the minority report just mentioned in connection with the conclusion reached by the United States Bureau of Efficiency which, mind you, made a most painstaking and exhaustive study of the whole situation, goes on to quote the conclusions of that bureau as follows:

Twelve reasons are given in a summary of this report why the farmers' produce market should not be located south of Pennsylvania Avenue. These are as follows:

1. Because nearly every customer of this market would be compelled to go through the down-town congested zone of the city to reach the market.

An excellent reason surely for not placing the market on the southwest site.

2. Because every farmer coming into the city from the north and west will have to go through the down-town congested zone of the city.

3. Because the Federal development of the Mall triangle will further add to the congestion of the so-called down-town congested zone.

4. Because there are only four north-and-south highways running through the Mall that would be convenient to southwest sites Nos. 1 and 2, viz, Sixth, Seventh, Twelfth, and Fourteenth Streets.

All of these are certainly most excellent reasons, too, why the southwest site should not be selected as the site for the market, I respectfully submit to the Senate.

5. Because it is impossible to extend either Eighth, Ninth, Tenth, Eleventh, or Thirteenth Streets through the Mall on account of existing public buildings or projected ones.

6. Because the Federal building program for the Mall triangle will undoubtedly necessitate the changing of existing car tracks and the rerouting of all street-car lines traversing this area.

7. Because four-fifths of the entire population of the District of Columbia live north of Pennsylvania Avenue.

8. Because more than nine-tenths of the hotels and boarding houses, more than four-fifths of the restaurants and lunch rooms, and more than three-fourths of the retail grocery stores are located north of Pennsylvania Avenue.

9. Because the future expansion of the city—in population and in the number of hotels and boarding houses, restaurants and lunch rooms, and retail grocery stores—will in a large measure be north of Pennsylvania Avenue.

10. Because at least 20 per cent of the business of the farmers' produce market is a retail business, which, in a large measure, would be lost to the farmers if the market is located in southwest Washington. This retail business amounts to more than $600,000 per year.

11. Because it would send through the Mall triangle and the Mall a lot of objectionable traffic.

12. Because the southwest area lacks in street-car facilities as compared with other sections of the city.

So we find embodied in this report of the minority of the House committee which dealt with the pending bill, conclusions of both the National Park and Planning Commission, and the United States Bureau of Efficiency adverse to the southwest site.

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

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Does the Senator from Maryland yield to the Senator from West Virginia?

Mr. BRUCE. I yield.

Mr. NEELY. There seems to be a dispute between the Senator from Virginia and the junior Senator from Maryland as to the number of civic bodies and organizations of the District of Columbia which are opposed to the southwest site. Can the senior Senator from Maryland enlighten the Senate about that matter?

Mr. BRUCE. I have already repeatedly called attention to the fact that no less than 55 civic organizations in the city of Washington have expressed their disapproval of the southwest site and asked that a site for the farmers' market be chosen north of Pennsylvania Avenue.

One of the associations which the Senator from Virginia cites as approving the southwest site is the Southwest Improvement Association. In other words, he lets us know that the Dutch have captured Holland. Of course, everyone down in the southwest portion of Washington and its environment favors the southwest site. That is natural enough. That is only human. But Senators who have any familiarity at all with the map of Washington do not require, it seems to me, any expert conclusion from any commission or administrative body to make up their minds that the southwest site is an entirely improper site for the farmers' market. There it is far away in the southern portion of the city, a mile—if I am not mistaken, though I do not know the exact distance—perhaps a mile and a half distant from Pennsylvania Avenue. Most of the fresh vegetable produce that comes into the city each day comes from the north and northeast, and if the southwest site should be selected as the site for the farmers' market, all the farmers would have to traverse the city and go down to its extreme southwest section in order to market their wares.

I think we ought to be able to discuss this question without any acrimony and even without any excessive enthusiasm. So far as I know there is no reason why the Senator from Virginia should feel any truly extraordinary interest in the result of this debate. Certainly there is no reason why I should. I am simply trying to discharge my duty as I see it to the people of my own State who have, it is needless to say, strong claims on my support of any proposition in which they may be so deeply interested as they are in the pending proposition.

But the fact is, that with the exception of such farmers as the Pennsylvania Railroad has been able by assiduous coaxing to bring into disapproval of this bill since its discussion last spring, all the farmers of Virginia, the District of Columbia, and Maryland who furnish Washington with fresh vegetable produce are opposed to the southwest site and are asking Congress to give its approval to some site north of Pennsylvania Avenue.

I hold in my hand at this time three telegrams which I received this morning and which seem to me very significant as indicating the extent of the popular opposition to the pending bill. First of all here is a telegram from the United Farmers Market Associations. I ask Senators to listen to it as showing what the farmers who bring fresh vegetable produce from day to day to the city of Washington desire as the site for the farmers' market:

WASHINGTON, D. C., *February 25, 1929.*

Senator WILLIAM CABELL BRUCE,

Senate Office Building, Washington, D. C.:

Passage Stalker bill waste of public money. Violates will of public and the farmers serving Washington. Four hundred farmers signed up for new produce market now open at Fifth and K Streets NW. New site satisfactory to public and farmers.

UNITED FARMERS' MARKET ASSOCIATION,
By J. F. WATSON, *McLean, Va., Secretary.*

That is to say, these farmers, wearied with waiting for the selection of some site for the farmers' market, have now taken the bit into their own teeth and have gone to one of the sites north of Pennsylvania Avenue, to which they have always desired to go. They are at Convention Hall now, as I understand it, marketing their garden products. I have read the first telegram. The second is from H. A. Friday, and reads as follows:

WASHINGTON, *D. C., February 26, 1929.*

Fight hard to defeat Stalker bill. Farmers and customers will not patronize southwest site. Unjust expenditure of taxpayers' money.

H. A. FRIDAY.

The third telegram is from N. J. Ward, president Washington Branch, National League of Commission Merchants. He states:

The citizens of Washington are united in their opposition to Stalker bill; 55 citizens associations denounced it.

That confirms, of course, the statement that I have just made to the Senate, that 55 civic organizations of this city are opposed to the passage of the pending bill. The telegram continues:

The farmers will not patronize the southwest site under any conditions. We commission merchants are unalterably opposed to it. Why don't you do your duty to the people of Washington and defeat this bill?

Of course, the Washington branch of the national league is hardly justified in addressing such language as that to me, in view of the fact that I am doing everything in my power to defeat the pending bill. And that I propose to do until the end, bitter or sweet. So, with great respect to the Senator from Virginia, I think he overstates his case when he would have the Senate believe that a considerably body of public opinion outside of the southwest section of Washington and the railroad interests which cluster about the southwest site is in favor of the southwest site.

It is inconceivable that the owners or proprietors of hotels, restaurants, lunch rooms, boarding houses, or lodging houses would prefer the southwest site, which is remote from the places where their business transactions are carried on, to a site north of Pennsylvania Avenue, where the real business and social center of the city is. I have yet to see any convincing evidence that they are. It was really a source of astonishment to me when I recollect the facility with which signatures to petitions and remonstrances may be obtained that the Senator from Virginia has not been more successful in obtaining support for the southwest site.

Bearing in mind the fact that practically all the market-garden farmers are opposed to it, that 55 of the civic organizations of the city are opposed to it, and that the great majority of the residents of Washington generally, so far as I can judge, are opposed to it, it does seem to me that it was incumbent upon the Senator from Virginia to bring forward a most convincing list of signatures in favor of the southwest site. I submit that he has not done it and that the weight of the evidence in this case is in favor of the contention of the farmers.

Mr. NEELY. Mr. President, the countless protests against the location described in the House bill convince me that the southwest site is almost as unpopular with the people of the District of Columbia as a Democratic candidate for office is with the people of West Virginia. [Laughter.] Since the people of the District have neither vote nor voice in their government, let us at least permit them to have a market site that will not subject them to unspeakable inconvenience. What could be fairer than the amendment that has been proposed by the Senator from Kansas [Mr. CAPPER]? It simply requires that the chosen site shall be approved by those who ought to be best qualified to render an intelligent decision in the case.

As a member of the District Committee, I am convinced that 75 per cent of the people of Washington are unalterably opposed to the southwest site. In the circumstances, it would be an unpardonable outrage for the Senate to force that site upon them. Therefore, in a spirit of fairness to the people of the District of Columbia, let me urge the adoption of the amendment proposed by the Senator from Kansas.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Kansas.

Mr. GLASS. Mr. President, so far as I am concerned I am quite ready for a vote on the amendment, except that I wish to repeat that what purports to be a report of the National Park and Planning Commission read here is not a report of the National Park and Planning Commission, which has never acted on this subject, as the text of the record itself shows, but is a report made to the National Park and Planning Commission but never acted upon by that commission. What appears textually in the record was confirmed, as I stated a little more than an hour ago, by Mr. Frederick A. Delano, one of the outstanding members of the National Park and Planning Commission. How Senators can persist in the statement that the overwhelming sentiment of the District of Columbia is against the southwest site is beyond my comprehension.

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

Mr. GLASS. I yield.

Mr. COPELAND. I served as a member of the Senate committee which examined into this matter, and the thing that impressed me was that which the Senator has just intimated, that the overwhelming sentiment of the community is in favor of the southwest site. It is the logical site; it is at the place where fish and other commodities are brought into the District. I certainly gained the impression from listening patiently through several long hearings that that was the sentiment of the community. There were certain selfish interests that talked about other locations in the city, but, so far as the citizens are concerned, the hotel men, the boarding-house keepers, and those who buy produce in the market, it seems to me that the sentiment was overwhelmingly in favor of the southwest site.

Mr. GLASS. It seemed so to me, and as concrete evidence of popular sentiment there was filed with the committee, as the Senator from New York will recall, a referendum on the subject of the market site, taken over a given period of time by a morning newspaper here, the Washington Post. The city editor of that newspaper certified to us that the vote was taken by the Post without prejudice to any site and was conducted in a perfectly impartial manner, all residents of the city being given an opportunity to register their choice. Of the nearly 30,000 votes cast in that referendum, 19,316 were cast for the southwest site; 9,440 were cast for the mid-city site; 59 for the Eckington site; and 82 for all other sites.

In view of that popular referendum—the only referendum of which we have any knowledge—how Senators may persist in saying that the popular sentiment of the District is against the southwest site is beyond my comprehension.

It is not material to the question whether the Bureau of Efficiency reported for or against the site, but, as a matter of record, I have given a true recital of what happened. After the House committee had overwhelminghly voted for this southwest site and reported in favor of it, an attaché of the Bureau of Efficiency reported to a minority member of the House committee his conclusions upon a review of the matter, which were adverse to the southwest site. The Senator from New York will recall that when Mr. Driscoll, of the District, representing various civic organizations, was before our subcommittee he made the explicit statement that those organizations voted for the mid-city site, the selection of which was precluded by the very resolution under which we were acting because its cost so far exceeded the amount of money authorized to be expended for a site. I asked Mr. Driscoll the particular question if the civic associations had determined the question as between the southwest site and some other site than the mid-city site, which he was advocating, what would have been the result, and he said it was problematic.

So that even the action of these associations, not against the southwest site but in favor of the impossible mid-city site, may be taken into consideration. It does not mean that they are opposed to the southwest site and in favor of this syndicated Patterson tract site which has caused all this trouble; but it means that if they could have their way they would select this mid-city site, which is precluded almost by the very text of the original bill of the Senate authorizing the purchase of a site for the market.

SEVERAL SENATORS. Vote!

Mr. GLASS. All right; let us vote, then.

The PRESIDING OFFICER (Mr. GEORGE in the chair). The question is on the amendment proposed by the Senator from Kansas [Mr. CAPPER].

Mr. TYDINGS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. DILL. What is the amendment?

Mr. TYDINGS. I should like to have the amendment stated before it is voted on.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 6, before the period, it is proposed to insert a colon and the following proviso:

Provided, however, That the acquirement of such site or any other site in lieu thereof shall be subject to the prior approval of the Secretary of Agriculture, the National Capital Park and Planning Commission, and the superintendent of markets, or a majority thereof.

The PRESIDING OFFICER. On this amendment the yeas and nays have been demanded and ordered. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

The VICE PRESIDENT resumed the chair.

Mr. GEORGE (when his name was called). I have a pair with the senior Senator from Colorado [Mr. PHIPPS]; but I am advised that if he were present he would vote as I expect to vote. I therefore vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I therefore withhold my vote.

Mr. SCHALL (when Mr. SHIPSTEAD's name was called). I wish to announce that my colleague [Mr. SHIPSTEAD] is seriously ill.

The roll call was concluded.

Mr. GERRY. I desire to announce that the Senator from Utah [Mr. KING], the Senators from Arizona [Mr. ASHURST and Mr. HAYDEN], and the Senator from Kentucky [Mr. BARKLEY] are necessarily detained on official business.

Mr. STEPHENS. I desire to announce that the Senator from Mississippi [Mr. HARRISON] is necessarily detained from the Senate, attending the funeral of a friend. If present, he would vote "nay."

The result was announced—yeas 29, nays 43, as follows:

YEAS—29

Bayard	Dill	Norris	Thomas, Idaho
Blaine	Frazier	Nye	Thomas, Okla.
Brookhart	Gerry	Oddie	Tydings
Broussard	Goff	Pine	Walsh, Mass.
Bruce	Hawes	Ransdell	Wheeler
Burton	Johnson	Schall	
Capper	McNary	Simmons	
Deneen	Neely	Steck	

NAYS—43

Bingham	Fletcher	Keyes	Smoot
Black	George	McKellar	Steiwer
Blease	Glass	Mayfield	Stephens
Bratton	Glenn	Metcalf	Swanson
Caraway	Greene	Moses	Trammell
Copeland	Hale	Reed, Pa.	Tyson
Couzens	Harris	Robinson, Ark.	Wagner
Curtis	Hastings	Robinson, Ind.	Walsh, Mont.
Edge	Heflin	Sackett	Waterman
Edwards	Jones	Sheppard	Watson
Fess	Kendrick	Smith	

NOT VOTING—23

Ashurst	Harrison	McLean	Reed, Mo.
Barkley	Hayden	McMaster	Shipstead
Borah	Howell	Norbeck	Shortridge
Dale	King	Overman	Vandenberg
Gillett	La Follette	Phipps	Warren
Gould	Larrazolo	Pittman	

So Mr. CAPPER's amendment was rejected.

[Mr. TYDINGS addressed the Senate but withheld his speech from the RECORD.]

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

The PRESIDING OFFICER (Mr. COUZENS in the chair). The clerk will call the roll.

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

Ashurst	Bingham	Blease	Brookhart
Barkley	Black	Borah	Broussard
Bayard	Blaine	Bratton	Bruce

Burton	Gould	Moses	Smith
Capper	Greene	Neely	Smoot
Caraway	Hale	Norbeck	Steck
Copeland	Harris	Norris	Steiwer
Couzens	Harrison	Nye	Stephens
Curtis	Hastings	Oddie	Swanson
Dale	Hawes	Overman	Thomas, Idaho
Deneen	Hayden	Pine	Thomas, Okla.
Dill	Heflin	Pittman	Trammell
Edge	Johnson	Ransdell	Tydings
Edwards	Jones	Reed, Mo.	Tyson
Fess	Kendrick	Reed, Pa.	Vandenberg
Fletcher	Keyes	Robinson, Ark.	Wagner
Frazier	King	Robinson, Ind.	Walsh, Mass.
George	McKellar	Sackett	Walsh, Mont.
Gerry	McMaster	Schall	Warren
Glass	McNary	Sheppard	Waterman
Glenn	Mayfield	Shortridge	Watson
Goff	Metcalf	Simmons	Wheeler

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names and a quorum is present.

DAM OR DAMS IN NECHES RIVER, TEX.

Mr. SHEPPARD. Mr. President, out of order, from the Committee on Commerce I report back favorably without amendment the bill (S. 5857) granting the consent of Congress for the construction of a dam or dams in Neches River, Tex. I ask the attention of the junior Senator from Texas [Mr. MAYFIELD] to the report.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 16612) granting the consent of Congress for the construction of dam or dams in Neches River, Tex., was read twice by its title.

Mr. MAYFIELD. Mr. President, since the House bill just laid before the Senate is similar to the one reported by my colleague the senior Senator from Texas [Mr. SHEPPARD], I ask unanimous consent to substitute the House bill for the Senate bill and that it may be considered at this time.

Mr. JONES. Mr. President, I ask whether the Senate bill has been reported from the Committee on Commerce?

Mr. SHEPPARD. It has been reported from the Committee on Commerce.

The PRESIDING OFFICER. The bill has been reported from the Committee on Commerce by the senior Senator from Texas [Mr. SHEPPARD].

Is there objection to the request of the junior Senator from Texas to substitute the House bill for the Senate bill, and that the Senate proceed to the consideration of the House bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16612) granting the consent of Congress for the construction of dam or dams in Neches River, Tex., which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Neches Canal Co., Neches Water Co., Beaumont Irrigating Co., the city of Beaumont, Tex., or the city of Port Arthur, Tex., or any one or more of them, to construct a dam or dams across the Neches River, at points suitable to the interests of navigation, above the city of Beaumont, Tex.: *Provided*, That the work on such dam or dams shall not be commenced until the plans therefor have been filed with and approved by the Secretary of War and the Chief of Engineers of the United States Army: *And provided further*, That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

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

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

The PRESIDING OFFICER. Without objection, Senate bill 5857 will be indefinitely postponed.

ST. CLAIR RIVER BRIDGE, PORT HURON, MICH.

Mr. VANDENBERG. From the Committee on Commerce I report back favorably without amendment the bill (S. 5847) authorizing Maynard T. Smith, his heirs, successors, and assigns, to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich., and I submit a report (No. 1977) thereon.

The bridge will connect Port Huron and Sarnia, Ontario. Immediate attention to the matter is very essential, and I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. The Chair will ask the Senator from Michigan is that bill in the same terms as the bill which has heretofore been passed?

Mr. VANDENBERG. It is in identical terms.

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

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

Be it enacted, etc., That in order to facilitate international commerce and improve the Postal Service, Maynard D. Smith, of Port Huron, Mich., his heirs, successors, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Clair River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, between a point at or near the city of Port Huron, St. Clair County, State of Michigan, and a point at or near the city of Sarnia, Province of Ontario, Dominion of Canada, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and in so far as Maynard D. Smith, his heirs, successors, or assigns, may act in the Dominion of Canada, subject also to the approval of the proper authorities thereof.

SEC. 2. There is hereby conferred upon the said Maynard D. Smith, his heirs, successors, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Michigan needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Michigan, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

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

SEC. 4. Such bridge shall be constructed in accordance with the standard specifications adopted by the American Association of State Highway Officials. During the construction of such bridge all work thereon shall be subject to inspection and approval by the State Highway Department of Michigan.

SEC. 5. The said Maynard D. Smith, his heirs, successors, and assigns, shall not encumber said bridge by the issue of stocks, bonds, notes, mortgages, debentures, or other evidences of indebtedness in an amount which, including all previous encumbrances, whether retired or still outstanding, shall at any time exceed in the aggregate the cost as reported to and determined by the Secretary of War in accordance with section 8 hereof. Not less than two-thirds of all encumbrances or securities other than preferred stock issued against said bridge shall be first mortgage bonds, and not more than one-third may be debentures. None of said bonds issued against said bridge shall be sold for less than 92 per cent of their par value nor bear interest at a fixed rate in excess of 6½ per cent per annum. None of said debentures issued against said bridge shall be sold for less than 90 per cent of their par value nor bear interest at a fixed rate in excess of 7 per cent per annum. Any preferred stock issued shall be at par plus accrued dividend, shall represent value, and shall be entitled to cumulative dividends at not to exceed 7 per cent per annum.

SEC. 6. The proceeds from tolls charged for the use of such bridge shall be used: First, to pay the maintenance, repair, and operation costs; second, to pay dividends or interest on outstanding preferred stocks, bonds, notes, mortgages, debentures, or other obligations issued by the said Maynard D. Smith, his heirs, successors, and assigns; and third, 20 per cent of any funds then remaining shall be retained by the said Maynard D. Smith, his heirs, successors, and assigns, and the other 80 per cent thereof shall be applied by said Maynard D. Smith, his heirs, successors, and assigns, in the purchase and retirement in accordance with section 5 hereof of said bonds, debentures, preferred stock, or other outstanding obligations legally incurred against said bridge. At the close of the fiscal year, when all bonds, debentures, preferred stock, or other obligations legally incurred against said bridge shall have been retired in accordance herewith such bridge and the approaches thereto and all structures, property, property rights, and franchises, so far as the same are located within the United States, shall be conveyed by the said Maynard D. Smith, his heirs, successors, and assigns, without cost or expense, to the State of Michigan or to such municipality or agency of the State of Michigan as the legislature of said State may designate, and, so far as the same is situated within the Dominion of Canada, shall be conveyed, without cost or expense, to the Dominion of Canada or to such Province, municipality, or agency thereof as the Dominion of Canada may designate; and all right, title, and interest of said Maynard D. Smith, his heirs, successors, and assigns, therein shall then cease and determine. After said outstanding obligations of the said Maynard D. Smith have been retired, said 80 per cent of the net earnings shall be held by said Maynard D. Smith, and half thereof shall be turned over to the State of Michigan, or its designated municipality or agency, and half to the Dominion of Canada, or its designated municipality or agency, at the same time as the bridge is turned over. The rates of toll, if any, shall thereafter be so ad-

justed as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. If said bridge shall not have become the property of the State of Michigan and the Dominion of Canada, or such agencies as may be authorized by them, in accordance with the provisions of this section, within 20 years after the date that it is completed and formally opened to traffic, the said State of Michigan and the Dominion of Canada, or such agencies as may be authorized by them, shall have the additional right at any time thereafter to acquire said bridge by purchase and retirement, at par plus accrued interest or dividends, of the legally authorized obligations then outstanding against same.

SEC. 7. The said Maynard D. Smith, his heirs, successors, and assigns, shall keep an accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the bridge, the daily traffic, and the tolls collected, and shall annually submit to the State Highway Department of Michigan and to the Department of Public Highways of the Province of Ontario a sworn itemized statement showing the traffic, the tolls collected, the maintenance, repair, and operation costs, the net earnings, interest, and dividend payments, and the stock, bonds, notes, mortgages, debentures, or other obligations retired during the preceding fiscal year. The State Highway Department of Michigan and the Department of Public Highways of Ontario shall have access at any time to all records, files, and books of the said Maynard D. Smith, his heirs, successors, and assigns. The mayor of the city of Port Huron, State of Michigan, and the mayor of the city of Sarnia, Province of Ontario, Dominion of Canada, ex officio, shall be entitled to receive notice of and attend meetings of the board of directors of any company or corporation now existing or hereafter organized and having the control and operation of said bridge.

SEC. 8. The said Maynard D. Smith, his heirs, successors, and assigns, shall within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of Michigan a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches; the actual cost of acquiring any interest in real or other property; interest during construction; and the actual financing costs, not to exceed 10 per cent of the total of said items. The Secretary of War may, and upon request of the Highway Department of the State of Michigan shall, at any time within three years after the completion of such bridge, investigate such costs, and determine the accuracy of the costs alleged in the statement of costs so filed, and shall make a finding of the actual costs of constructing and financing such bridge; for the purpose of such investigation the said Maynard D. Smith, his heirs, successors, and assigns, shall make available all of its records in connection with the construction and financing thereof. The findings of the Secretary of War as to the costs of the construction and financing of the bridge shall be conclusive for all purposes mentioned in this act, subject only to review in a court of equity for fraud or gross mistake. A report of the maintenance, repair, and operation costs of said bridge shall be submitted by the said Maynard D. Smith, his heirs, successors, and assigns, at the end of each 6-month period to the State Highway Department of Michigan and to the Department of Public Highways of the Province of Ontario, Dominion of Canada. If any class of expenditures therein is disapproved by said highway departments, or either of them, such class of expenditures shall not thereafter, without approval, be an obligation payable out of the proceeds of tolls collected for the use of such bridge. Reconstruction or betterment costs in excess of $10,000 in any fiscal year must be submitted to and be approved as necessary and reasonable by the State Highway Department of Michigan and the Department of Public Highways of the Province of Ontario prior to incurring the expenditures therefor, and all betterment and reconstruction costs, duly approved if such approval is required, and actually made, may be added to the cost of the bridge, as determined by the Secretary of War in accordance with the provisions of this section, and in order to meet the cost thereof additional obligations or encumbrances not in excess of the amount approved for such reconstruction and betterments actually made plus necessary financing costs, not exceeding 10 per cent, may be issued against said bridge.

SEC. 9. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said Maynard D. Smith, his heirs, successors, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same, subject to the terms and conditions of this act, as fully as though conferred herein directly upon such corporation or person.

SEC. 10. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

FARMERS' PRODUCE MARKET

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8298) authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

[Mr. TYDINGS addressed the Senate but withheld his speech from the RECORD.]

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

Mr. TYDINGS. Yes; I yield.

Mr. NEELY. I think a quorum ought to be present to hear what the Senator is saying about this matter. I therefore suggest the absence of a quorum, if the Senator will yield for that purpose.

Mr. TYDINGS. I yield, provided I may continue after a quorum has been obtained.

The PRESIDING OFFICER (Mr. COUZENS in the chair). The absence of a quorum has been suggested. The clerk will call the roll.

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

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

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

FEDERAL FARM LOAN SYSTEM

Mr. BLEASE. Mr. President, on January 28 and 30 and February 2 and 11 I submitted certain articles in reference to the farm loan bank investigation. I now submit certain other articles, and ask that they may be printed in the RECORD.

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

The matter referred to is here printed, as follows:

[From the New Republic, New York, February 20, 1929]

SO THIS IS FARM RELIEF FINANCE!

HOW THE POLITICIANS BETRAY THE FARMERS

By Gertrude Mathews Shilby

The United States is in banking up to its ears. Losses running into many millions of dollars have occurred in Federal intermediate credit banks, capitalized by the Government, and the farmers' own land banks, operated but not owned by the Government. Yet repeated demands to investigate these losses have been sidetracked in Congress. Senator HOWELL (Republican) entered a resolution in 1924, a Treasury auditor having previously testified that eight hundred and eighty millions in farmers' land bank funds had escaped Treasury audit, and proof having appeared that the Federal Farm Loan Board had set up an account with moneys detached from these funds in a private Washington bank, disbursing some $37,000 over one signature without vouchers or receipts. No action was taken, although, according to Treasury analysts, this Federal board possesses dangerous power through its dual functions of management and supervision, a condition which is inconsistent with safety.

Last spring, as a result of known losses of one million in the Intermediate Credit Bank of Columbia, S. C., and other unannounced losses in the farmers' land banks, and also the private joint-stock land banks (all three are supervised by the Federal Farm Loan Board), Senator BLEASE (Democrat) demanded investigation in that district, which includes Florida, Georgia, and the Carolinas.

The president of two of the Columbia banks, the Intermediate and the Farmers' Land Bank, was H. C. Arnold, whose qualifications for the responsibilities of banking appear slight. He had formerly been deputy warden of the Atlanta Penitentiary. The two first-mentioned banks, run by the same board, have assets of $80,000,000. The Senator's resolution was pigeonholed, after the Farm Loan Board had defended Arnold before the Senate Banking and Currency Committee, and certain new appointments were made—but late in 1928 the board accepted Mr. Arnold's resignation.

Senator BLEASE renewed his demand at the beginning of the current session, citing the fact that losses in the farmers' land banks would

run to millions, mentioning an alleged confession made by Arnold two years ago, as well as a defalcation for which one employee had been sent to jail, two unexplained suicides of cashiers, and other embarrassing incidents. Senator CARAWAY, complaining that Arkansas farmers could not get loans, offered to support the resolution if it were broadened to include the St. Louis district. WHEELER, of Montana, made a similar offer if the Spokane district were covered. On January 28, the broadened resolution was introduced, including the whole system and the Federal Farm Loan Board.

The inquiry is now more important than ever, because of a recent attempt by politically appointed executives of the land banks to shift the burden of liabilities to the farmer-stockholders. The law is based on mutual aid. In the past, the banks holding the assets have, as the act stipulates, borne the losses, distributing them among associations. This is reasonable; one area may be prosperous, one depressed; but all pull together.

In December some four hundred associations in the Berkeley district were asked to sign an agreement, of dubious legality, by which each association was thereafter to assume its own losses. At first glance this seems perhaps mere accounting. But in practice it invites dangerous consequences. Farmers belonging to financially embarrassed associations may soon find themselves facing bankruptcy. Each farmer is compelled to buy stock in the land bank to 5 per cent of the amount he borrows. His stock has double liability. If the association he must join gets into hot water, members can be compelled to pay 10 per cent of the amount of their loans. This is enough, when farm incomes are low, to ruin many. California raisin growers are suffering from depression.

One association refused to sign this agreement because its losses would be increased twelve fold, and for years it had borne its share of common losses. Other associations were misled by plausible representations, and gave up their legal birthright.

Attorneys for the several banks and the Federal board conferred on this plan and are understood to have authorized a standard type of agreement which all banks are to persuade their associations to sign. Why do they advise this? Presumably because, if the present huge losses of the banks were transferred to the associations, whose books nobody except inside examiners ever see, the books of the banks would be clear. The financial statements of the banks might once more be miraculously improved, under Eugene Meyer's régime, as they were by the sudden reversal of policy in estimating assets adopted last March. Investors might be inveigled into buying bonds more liberally. The figures would appear to justify continued political control. And the losses would, in effect, be concealed.

Yet this procedure is so certain to check the growth of the system, if it does not cause its gradual death, that one wonders where the idea originated in the political-financial community. Mutual aid is practically abandoned. Lone handed, instead of cooperatively, the associations must fight out their battles.

How can embarrassed associations persuade new farmers to take their loans from the system when associations with delinquencies and losses may not distribute dividends? Why should farmers join, purchase stock with double liability and the added risk of political management, when loans are easily available elsewhere at only slightly higher interest? If associations have no hope of canceling losses out of the gains of new business, and farmers everywhere become frightened when certain stockholders are called upon to meet their liability, the system will fall into disuse. To be sure, it can be kept nominally alive for some years—that is, jobs can be saved. But as soon as it becomes inactive, interest rates on mortgage loans will inevitably rise. Are administrators unaware of these implications? The pending resolution is highly important.

There are plenty of figures available to justify the claim that the farm-loan system is sound in theory. But figures are not enough. Men and farmsteads are involved, and their protection requires a thorough investigation to discover what old principles and new safeguards should be invoked. Government bureaucracies, operating any business, have well-known faults. And in the handling of huge sums of money for lending these faults become magnified. We have not yet forgotten the disaster of the Bank of the United States. Our modern rural-credit systems multiply the unhappy chances of that early venture a millionfold. Why, then, does not Congress investigate?

Politics!

Since political appointees control the raising of $1,300,000,000 to finance the farmers, the allocating of this money geographically, and the lending of it in small sums, many fat perquisites have grown up, which render this huge land-bank machine a new dollar force in American politics. Some of the hidden emplacements are as unsuspected by the public as those for German World War guns. In political hands insidious capacities have been developed. The whole machine is out of the control of the farmer stockholders, whose money is being spent by officeholders, whose farmsteads—worth two or three billions—are pooled as the basis for credit, and whose very independence may prove to be at stake. Burdened with debt, subject to policies which may be merely the result of incompetence, and with recourse only to Congress, which has so far proved insensitive to appeal, where do the farmers come out? Or do they?

Considering the powers of the machine which raises the funds. The Federal land banks issue bonds two or three times a year—subject to the approval of the Federal Farm Loan Board—to be sold to the general public. Valuable privileges, of course, inhere in the control of the sale of these securities. For 11 years one syndicate of investment houses has had exclusive, preferential control. The members of this syndicate include the National City Co.; Harris, Forbes; the Guaranty Trust; Lee, Higginson; Brown Bros.; and Alexander Brown & Sons, of Baltimore.

An Assistant Secretary of the Treasury, C. G. Dewey, has testified that the rate of interest on these bonds is developed by these investment houses underwriting the bond sale. The law automatically fixes the rate of interest paid by farmers for their loans at 1 per cent higher than the rate paid to investors for use of their money; therefore the syndicate has the power to develop the farmers' interest rate. Furthermore, the syndicate influences, if it does not determine, the amount and time of issue of these bonds. To maintain the supposed nation-wide distribution, it has organized a secondary syndicate. Membership in this subsidiary is never divulged nor is any account given of the sales made by it. But the first and second syndicates together have held a virtual monopoly of the bond sale. The Federal land banks and their fiscal agent have sold directly a very small percentage. Outside houses must secure bonds, if customers want them and any are available, from syndicate members. Thus the syndicate has enjoyed a virtual mastery of the terms, and the amount and time of funds allowed to flow through the farmers' system; this is contrary to the intent of the law, which granted the bonds tax-exempt to help farmers secure the best terms, the lowest interest, the amounts they needed, and independent control of their own financial arrangements.

The financial credit community may, as H. G. Wells suggests, have no mind. But certainly its behavior, when it is deemed necessary to sustain interest rates, indicates that at least it has instinct—overpowering instinct. Presumably, the whole banking world opposed the farm loan act for the reason that, if nonprofit or cooperative banks succeeded in lowering the farmers' interest rates, other groups than farmers might demand equal privileges, including tax exemption, from Congress.

And when the act passed, despite this opposition, it was surely not wholly accidental that the first political appointees were men who, as the first annual report shows, had no conception of the character of cooperative credit. In organizing, they laid down policies which to-day tend to prevent stockholder control of even the local farm-loan associations.

The problem of selling these bonds called for genuine ability. Mr. Griswold, of Alexander Brown & Sons, saw financial advantages in this job; obviously, if the bonds were properly introduced, their sale might run to hundreds of millions, and the commissions, although low, would at least guarantee a steady business. Financiers, once convinced, displayed tardy patriotism. Exclusive, preferential control was granted. Perhaps no one, at that time, could have dreamed all that this might one day mean.

But observe what has happened. The law contemplated the widest possible distribution of stockholders among small investors (hence the small denominations of bonds), and a method of distribution that would make these securities available continuously.

Instead, the sale has been periodic; large customers of the syndicate took most of the offerings; there has been a narrow distribution among corporations and individuals with incomes in the higher tax registers. Since these bonds are tax exempt, it is possible for such buyers, as Eugene Meyer has testified, to save 13½ per cent on their income taxes. Efficiently enough, the syndicate has sold twelve hundred millions of land-bank bonds, yet certainly the law did not contemplate that income-tax evaders should be able to get them easily, while small investors, unless they happened to be syndicate customers, obtained them only by special effort.

For many years this exclusive arrangement between the banks and the syndicate was maintained without contracts, first by the Federal board, and later by the fiscal agent, Charles E. Lobdell, former farm loan commissioner, who resigned December 31, 1928. The control of this vast business was left to personal agreements, awarded by political appointees. Were Treasury certificates or Government bonds disposed of in this manner, bitter criticism would be provoked, no matter how reliable the firms which benefited. And criticism is no less deserved here, for, under this system, the Government has assumed somewhat the position of a trustee toward the farmers' banks. What redress, without legal contracts, have stockholders in case of error or dishonesty? Without the taking of competitive bids for the privilege of handling such bond-sale contracts, how do stockholders, or the board, know that the distribution could not be made cheaper or the money secured elsewhere at lower cost?

Active hostility to this system still flourishes in various quarters of the banking world, notably, of course, among the old-line mortgage group. It appears to be startling news, however, that the leading rival

of the primary syndicate, Kuhn, Loeb & Co., has, from the first, consistently refused to sell farm-loan bonds. Presumably this boycott is shared by houses sympathetic in financial policy, or otherwise allied, to Kuhn, Loeb. That firm "does not advise Federal land-bank bonds" for investors. Its heads have never believed in the principles of the system. Since they can scarcely be held less patriotic than the "Morgan group," why this disbelief? Is it merely a coincidence that they do not participate in the primary syndicate?

It can now be clearly seen that the fiscal policies approved by the Federal Farm Loan Board have left the stockholders in a position of helplessness. Yet the officeholders, who let out the bond-selling privileges, have seemed satisfied, provided there was no danger of losing their jobs. The investment firms who secured exclusive, preferential control have been content. Neither wished the contractless understanding to be disturbed; for what might not happen if the stockholders took over the management? In considering what did happen to the stockholders, these facts must not be lost sight of. It is ever interesting to reflect on the contrast between the congenital distrust of farmers shown by politicians and the pathetic trust of farmers in the Government, whatever its representatives.

For four years political administrators fended off trouble. By 1919 farmer-stockholders of the banks were entitled to elect the directors of most of their district land banks and to begin managing them. These directors, a clear two-thirds majority, were to set fiscal policy, including that for bond-sale arrangements, subject to the Federal Farm Loan Board's approval. Yet no elections were called. When the farmers and their organizations investigated, they discovered that during the war an amendment had been slipped through which deprived stockholders of the right to operate their own banks. When the Treasury, anxious to keep farm-loan bonds out of the way of Liberties, had secured power to buy a hundred millions of Federal land-bank securities, a clause had been inserted providing that the temporary boards of the banks—all political appointees—should remain in office as long as the Treasury held any land-bank bonds.

Dissatisfaction became acute, and the Federal board realized that new action was necessary. Amendments were prepared, introduced, and effectively supported before the House depriving the stockholders permanently of their clear majority control, substituting a camouflage of fifty-fifty control by which the farmers were to elect three members, and the Federal board to appoint four, to each district land-bank board.

To assure the enactment of this provision, another neat device was employed: A conference committee slipped this rewriting of the farm loan act, which the Senate had not had a chance to consider, between two bills which had already passed both Houses. The head of the conference committee, Senator McLean, on reporting the compromise measure, omitted to inform the Senate of the real import of Title III. Undiscussed and unread, the measure advocated by the Farm Loan Board became law. According to Senator Fletcher, its real effect was a quasi confiscation of farmers' property rights in the land banks. It left these stockholders the only owners of enterprises in the United States who had no control of their own concerns, a right declared by the Supreme Court to be vested in the ownership of stock. At last, after six years free from disturbance by stockholders, the first elections of directors were held—but became the source of fresh grievances, because of indefensible redistricting and electioneering methods countenanced by the board.

What a perversion of good intentions! Congress, benignly wishing to help agriculture, had granted a great liberty, by which farmers were to gain the leverage of credit. Politicians seized this power. Financiers gained and held prized privileges, which counteracted the good that real leverage might have achieved for the farmers. Congress, in short, having thoughtfully given, carelessly took away, and the stockholders now find themselves practically incapable of disturbing appointees or affecting fiscal policies.

The financiers develop the interest rate. Political administrators deflate land values through the very land banks themselves in tune with the prevalent conviction that prices must go down. As a result, many farm families lose their farmsteads, which are their only means of livelihood. It is a national situation; but can the political-financial community be investigated?

Meanwhile, there is another ugly aspect of the matter: The amount of bonds sold to provide funds to lend through this system has materially decreased year by year since 1923. In 1927 some eighty million dollars (as against $225,000,000 in 1923) were actually loaned by land banks to farmers. Applicants in all sections of the country were in desperate need of large loans at the lowest possible interest, but many of them could not be supplied. This was precisely what Senator Caraway complained of in his own bailiwick.

Now, consider certain parallel facts: As these funds diminished year by year the joint stocks steadily outloaned the Federals. Mr. Melvin E. Traylor, head of the American Bankers' Association, is heavily interested in joint-stock land banks. In fact, the whole system competes with the Federals. With the farmers' own system slowed up, the private joint stocks had a free hand to get more business. Their rates, of course, are higher.

When questioned concerning the apparent limitation of the Federal land banks' issue and sale of bonds, members of the Farm Loan Board have evasively suggested that the saturation point for the sale of land-bank securities on the market had perhaps been reached.

But this was not the case in 1927, when the farmers only got 82,000,000; for 177,000,000 were actually sold. The other ninety-odd million were used to buy back from the Treasury and retire the bonds bought during the war.

Why, with farm distress still prevalent, should the administration have been moved to sell out? If the handsome figures provided by the banks and the Federal board have been honest, why should the Government have withdrawn while agriculture was admittedly still in need of every help it could get? Had the Government held on, the farmers might have secured at least that 90,000,000 at a low interest. Who advised the Government to unload? What apprehension prompted it—or was this, too, merely a case of muddling through?

The Federal Farm Loan Board, of which Eugene Meyer has for 18 months been the head, must approve the fiscal policies of the Federal land banks and Federal intermediates. It must approve every issue of joint-stock securities. Will this limitation of good-term credit to farmers go on? Will the recovering joint stocks again outloan Federals? Will exclusive, contractless, secret agreements govern the sale of farmers' land-bank securities?

It is rumored that more money is to be spent in advertising Federal land-bank bonds. Will the new arrangements, made by whoever takes over the fiscal agent's duties, continue to feed Wall Street and starve Main Street? The first step to be desired is independence for the stockholders of the Federal land banks, and the restoration to them of the once guaranteed, and certainly deserved, control of their own credit pool.

Gertrude Mathews Shelby.

[From Grain World, Chicago, February 13, 1929]

NO TAXES ON GOVERNMENT PROPERTY

The Supreme Court of South Dakota has just ruled that farms taken over by that State's rural credits board are tax exempt. This, of course, is in line with established practice, for no taxes are ever paid on either city, county, State, or National property.

JUST LIKE FEDERAL FARM-LOAN SYSTEM

It might be well, however, for advocates of governmental operation of various projects to be reminded of this fact and to have pointed out to them that each step in this direction means higher taxes for property that is privately owned.

TAXPAYERS FOOT THE POLITICIAN'S BILL

Practically every penny of governmental funds comes from taxation and the money for the construction of Government-owned barges, elevators, etc., would come out of the pockets of taxpayers just as surely and as definitely as would money for the construction of jails, courthouses, State capitals, or new buildings for the various departments in Washington. Furthermore, Government ownership automatically removes the land, buildings, boats, etc., from the list of property that may be taxed, thus adding to the burden on that which remains.

WOULD IT WORK?

Senator Smoot is reporting that President-elect Hoover is against the equalization-fee principle for the relief of agriculture, and the expected plan of salvation consists in stabilizing the markets through the use of Government funds.

Through the backing of the United States Treasury much wheat, corn, cotton, tobacco, and a hundred other products could be temporarily taken off the markets. Such a procedure, however, would not permanently remove a pound of any one of them from the channels of trade. Buyers would naturally know what was being done and would govern their bids and their purchases accordingly.

Taking a hundred million or even a billion dollars' worth of our agricultural products off the market in this way might, of course, produce a shortage and thus temporarily bring about higher prices. Eventually, however, they would have to be sold at the supply and demand level, and in the meanwhile they would be "eating their heads off" through deterioration, storage charges, insurance, vermin infestation, etc.

[Extracts from article in Grain World, Chicago, February 13, 1929]

MORE POLITICAL BUNK HANDED OUT

Representative Letts, of Iowa, in the recent discussion of a bill introduced by him during the last session of Congress, which provides for Government construction and operation of warehouses and elevators on the Mississippi River above St. Louis, said:

"I admit that it puts the Government in business, a thing not to be desired, and yet if the Government is justified in owning and operating a barge line, it is justified in carrying on another business which is necessarily an auxiliary to it."

POLITICIANS KNOW BETTER—WHY NOT ACT INTELLIGENTLY?

In the statement quoted there is again emphasized the point we have frequently made in discussing the subject of the Government in busi-

ness. Practically every Member of Congress who proposes anything of this character, prefaces its introduction with the remark that he is definitely opposed to having the Government engage in the numerous activities that have, from time to time, been proposed, but that "this one is different."

As to the specific proposal to have the Government own and operate elevators along the Mississippi, why not have them also along the Missouri, the Ohio, the Tennessee, the Columbia, and a hundred other navigable streams as well as along the Great Lakes and our various barge canals? And then why stop with having the Government simply operate these elevators?

WHY NOT WHOLESALE SOCIALISM?

Wouldn't it be equally logical to have the Government buy and sell the grain, and then to mill it and finally to bake our bread for us? We all buy bread and the most of us would like to be able to regularly purchase a good pound loaf for a nickel.

Of course we are all human and if we think the Government could engage in this activity or that one, with profit to us, we are naturally for it. We see the direct benefit and give the matter no further thought.

FEDERAL FARM LOAN BOARD, TOO!

The most of us vividly recall what a tremendously costly experiment governmental operation of the railways during the World War turned out to be. Many of us know that we are paying, through increased taxes, for the operation of the merchant marine and some of us know that we are similarly contributing to the Alaskan Railroad and to the Federal Barge Line.

POLITICIANS JUGGLE FACTS TO SUIT THEIR OWN CASE

The trouble is, however, that we do not know how much our contribution really amounts to in the aggregate for all of these governmental activities, and because we do not know, we fail to appreciate the real size of the burden.

YOU CAN'T PASS THE BUCK—YOU PAY

Perhaps the average business man thinks he is passing all of this burden on to his customers, but as one of this country's 120,000,000 ultimate consumers, he is paying his share just as the rest of us are.

We pay some of it in everything that we eat, everything that we drink, and everything that we wear. Some of it is included in our bills for heat, light, and power, some in what we pay for transportation, and some of it is even included in the price paid for the casket in which we are finally laid away.

IT MEANS RUIN TO PRIVATE BUSINESS

Furthermore, every encroachment of the Government means trouble and perhaps ruin for private business with which it comes into competition. With its almost limitless resources and with no necessity for making a profit, the Government can soon put the most powerful private enterprise out of business if Congress or any of the administrative departments so decree it.

JOB JUMPERS MULTIPLY UNDER POLITICAL MANAGEMENT

Another danger arises from the necessary increase in governmental employees. It is conservatively estimated that about 1 out of every 10 of our inhabitants is now either directly or indirectly dependent upon some branch of government, either city, county, State, or National, for support.

The private enterprises in which the United States is already engaged have added thousands of men and women to governmental pay rolls. The proposed operation of elevators along the Mississippi and the Missouri would not only add thousands more but it would also put the country permanently into their operation as well as the operation of the barge line.

The people living along these streams would doubtless be glad to have continued operation of the barge line by the Government, for that would mean lower rates for them. As 75 per cent of our total population must always depend upon the railroads, however, the plan would mean higher transportation charges for three-fourths of our people, and they would also have to pay their share of the increased taxes thus made necessary.

The whole problem is a tremendously big one which has apparently been given but little thought, except perhaps by those who would be benefited, and the time for the others to "put on their thinking caps" is at hand.

GOVERNMENTAL EXPENSES

Figures made public by the Treasury Department show that for the first half of the fiscal year 1929 there was an increase of more than $111,500,000 in governmental expenses.

[Article appearing in New Republic, New York City, February 27, 1929]

POLITICS IN THE FARM LOAN SYSTEM

By Gertrude Mathews Shelby

The phrase "politic economy"—Professor Soddy's description of unscientific current attempts to regulate economics through politics—might have been coined to fit certain functions of our farm-loan policy. Consider the extraordinary powers of the land-bank system, which parcels out from one to two hundred million dollars a year in loans to farmers. The operation of these banks requires some 2,000 persons, exclusive of joint-stock bank positions; the total number of employees has not been made public. Yet none of these 2,000 places enjoys the protection of civil service. Certainly there is no other plum tree of patronage in our Government that is so tempting, with the exception of post offices, and post offices lack the attraction of funds to distribute.

By the farm loan act the President is empowered to put this system under the classified service. "The exception of the Federal Farm Loan Board from the rules of classified service is indefensible," says Mayers, an authority on the subject, in his book The Federal Service. "Nothing regarding the field forces offers any reason for modifying this characterization. Should an appointment to such a position as that of appraiser be made for political reasons, the appointee would be peculiarly subject to improper influence, a danger particularly to be guarded against in this service."

In his acceptance speech Herbert Hoover said: "Our civil service has proved a great national boon. Appointive office, both north, south, east, and west, must be based solely on merit, character, and reputation in the community in which the appointee is to serve." As President, will Mr. Hoover deny to farmers who own the stock of the Federal land banks, and to taxpayers, who paid in the Treasury funds used to capitalize the intermediate-credit banks, the benefit of this great national boon?

Nothing less than an Executive order will protect the country from certain obvious abuses of political banking. Without the maintenance of the strictest standards of selection, based on competitive examinations, lame ducks are sure to be consigned to any system as a haven—witness the old Pensions Bureau.

In no service are safeguards against this sort of thing more important than in this greatest of all our banking systems. Possible loans influenced by political considerations, and even waste merely due to incompetence, are hazardous alike for investors, stockholders, and citizens. It should be remembered that obligations are outstanding to the extent of $1,250,000,000, described by the Supreme Court as "Government instrumentalities" and sold under that guaranty.

Yet, in some degree, nepotism has existed in the land-bank machinery from the first. Members of the Farm Loan Board, of the district land banks' boards, of the Senate, and even a President have obtained jobs for relatives and friends who were not qualified by previous experience for the sort of work to which they were assigned.

Patronage is now, to be sure, more circumspect that when President Harding put his cousin, a retired minister, into the Farm Loan Bureau as reviewing appraiser. Nor is it quite so crude as when Lobdell, former farm loan commissioner, admitted that his two sons, a cousin, an old friend, his wife's former dressmaker, and the dressmaker's nephew were all on the pay roll. In 1926 the Federal board gravely passed resolutions discouraging nepotism in the 12 land banks, which employ some 800 persons. Some men were dropped, among them the cousin of a certain bank president. Certain others not related to present officials upon the circumstances of whose appointments time had laid a covering hand were retained; among them the treasurer of a great bank. The fiscal agency for the banks appears not to have been affected by these resolutions. Until the end of 1928, Lobdell headed that organization, with a salary of $25,000 a year, which would not be possible under classified service. The approval of all his policies by the Federal board was necessary. One of the young Lobdells was employed in this agency until the summer of 1928.

The Federal board itself would also seem to have been an exception to the rule. It can not claim a clean record while it remains true, as it does, that not even the best-qualified mortgage banker could get a job as president of a Federal land bank unless he is backed by senatorial influence. Examples of this sort of nepotism are not lacking. The son-in-law of one of Mr. Hoover's most important advisors is head of a great division of the Federal bureau. His rise in the system has been amazingly rapid, and he now enjoys the same salary as the Secretary of the Treasury. He came to the system quite green. His ability to handle the political phases of his job is unquestioned, but certain stockholders feel very differently about his competence as a judge of risks. Again, the nephew of a member of Mr. Hoover's Cabinet has long been an examiner in the system. Removing him on the ground of alleged incompetence was considered, but the idea was abandoned on the ground that it would be "politically inexpedient."

Until two years ago, when the Treasury began to name examiners and other appointees to the Federal bureau, these places had been considered senatorial patronage for both Republican and Democratic Members of the upper House. The political appointees who served as examiners were either so few or in some cases so conspicuously incompetent that improvement in the situation was imperative. The Treasury has recently required examiners to pass tests, but the freedom of appointment is still sufficient to allow plenty of loopholes for the unqualified person with the right sort of influence.

Appraisers are as important as examiners, and their incompetence has been terribly expensive. Eugene Meyer, testifying before a con-

gressional committee, stated that the troubles of the system were by no means all attributable to the agricultural depression. "When the receiver of a bank says that a lot of loans were made in that bank as agricultural loans on lands that were agricultural lands—loans which never should have been made—that has nothing to do with agriculture," he said, and added: "It was enough of a factor to put one bank in receivership." He referred to the Spokane bank, but he also said that "I do not think the Spokane territory has any more or greater problems than the Berkeley territory or other territories." There has also been acute trouble in Columbia and St. Paul.

Berkeley's troubles, while the least of the four mentioned, illustrate well the conflict between politics and sound banking. The bank serves four States, California, Nevada, Arizona, and Utah. In the last named, several thousand loans "went bad." Foreclosures were made on farms worth, at the present conservative valuations, $500,000. This amount represented two-thirds of the Berkeley bank's land holdings as of six months ago. This disgraceful record of bad appraisal was made despite the fact that several of the appraisers who passed the loans were from Utah. It is impossible to avoid the question: How did such grossly incompetent appraisers get into the system? Did somebody exercise political "pull" on their behalf; and if so, who?

These loans were made despite the fact that three or four members of the Berkeley District Land Bank Board have always been from Utah; in 1928 there were four, which is a majority of the board. Two appraisers are to-day from Utah and pass on loans in that State. For some time a relative of a Utah Senator was district reviewing appraiser, and several years ago he was appointed to a post of authority in Washington. It is not surprising that Utah is credited with having more than her share of available funds to lend. Long ago the farm loan system abandoned the attempt to supply loans on every approved application. If there is not enough to go around—and there never is—the banks may reject applications outright or, perhaps, fail to grant enough money to satisfy the borrower. The money is unequally allotted between districts, according to alleged need; the banks then divide between States or parts of States. A powerful Senator may be a good go-getter; a large share loaned in his territory might mean votes, or even the difference between keeping and losing his seat. Perhaps he says nothing; if he has proved himself useful in Congress, to the board and the banks, it may not be unnatural for those in authority to allow a large quota of funds—of course, without favoritism—to his district. Or, perhaps, this little pig actually goes to market, regardless of others who get none. For he reasons that it may be useful to have appointed men to jobs in the money mart.

Now, State pride alone might be a factor in unjust distribution of money, possibly resulting later in losses. If so, with 48 proud States, heaven help the farmers who own these banks! Yet the method of making loans, with stockholders not in control and civil service lacking, shows no adequate protection against that sort of thing nor against possible political-spoils considerations. When a local farm-loan association recommends a loan, a Federal appraiser is sent to examine the land; he in turn recommends whether to reject the loan or, if to grant it, in what amount. The reviewing appraiser for the district then has his chance. Bank officials may rule out a specific loan or entire areas. But, if approved, applications are forwarded to Washington. The Farm Loan Bureau's reviewing appraisers make the final decision, subject to the approval of the board itself.

Similarly prejudiced appointees in the field force of appraisers on the bank's staff and in the Washington bureau might constitute a line-up which would effectively sidetrack farm-loan welfare. If such officeholders, who are not directly responsible to stockholders, happen to be grateful to politicians who have got them their jobs, is it not probable that sentimental or political considerations might affect both the division of funds between States and possibly also the granting of specific loans?

While loans on good lands were refused in California, asserts the California Farm Bureau Federation, Utah loans, on poorer lands, were generously granted; $15 more per acre was loaned by the Berkeley Bank in Utah than conservative joint stocks averaged. Certainly losses piled up. Of 199 risks judged by a Mr. Cardon, 5 per cent are said to have gone bad. His assistant, Hatch, reported in 1924, "* * * * it is undoubtedly true that we have loaned too much per acre." And J. W. Paxman, appraiser, also wrote, in 1924, regarding three specific Utah loans, of $5.13, $7.81, and $11.86 per acre, "The lands were once dry-farmed—at least, about 280 acres of them. They haven't been farmed in the past three years, and are of no value except for grazing. Such lands, fenced, would ordinarily sell for $3 to $5 an acre, but under present conditions it is very doubtful if a purchaser could be found who would give $1 an acre for them." Yet, in 1925, despite the separate reports of 1924 by Hatch and Paxman, the average loaned by the Berkeley Bank in Utah rose from $64 to $65 per acre.

If it were not for the division of places between the Republicans and Democrats, bad conditions could long ago have been greatly improved. But even now, when reform is proposed, some legislator is sure to run protesting to the party leader, saying, in effect, "We must keep still about this system—remember that there are a billion and a quarter of bonds out. And besides, I got So-and-so his place, and he must be protected."

As they have found themselves secure, the leaders of the land bank machine have become more aggressive. They have used their influence to affect legislation. The land bank presidents maintain a legislative committee to recommend congressional action. Members of this committee, whether in Washington, or at home in their banks, have developed means of pushing bills they favor and blocking those they fear—of course, in the name of the stockholders. Thanks to a number of Democratic appointees who are grateful to the administration for their daily bread and cake, the land bank machine seems to have been in an excellent position recently to pull the donkey's leg for the benefit of the Republican elephant. Certain Senators, appealed to by Democrats whose appointments they have indorsed, appear to stop or go as this legislative committee suggests. Consequently, bills which might correct glaring abuses are never reported, while frequently legislation adverse to stockholders' interest is enacted; or appointments are confirmed when nominees are unqualified. Bipartisan influence, amounting to party coalition in defense of the existing régime, has grown amazingly strong.

Furthermore, in various districts the land bank machine maintains federations of the key men of local associations, the secretary-treasurers. By the policy of the board and banks, these are usually not stockholders but outsiders, local business men.

If the legislative committee and the bank advocate or oppose certain action, it often happens that letters and wires pile up on the desks of certain committee members in Washington. Hearing from the boys in the associations back home, the Members naturally may be influenced in their decisions. The land-bank machine has used a shrewd technique to get what it wants from Congress, and the Federal board itself sometimes takes the lead.

Even while the amounts for lending have decreased, the expenses of this system have steadily swelled. To operate the Washington bureau the Federal Farm Loan Board levies assessments upon the banks—land, intermediate, and joint stocks—proportionately. Estimates must be submitted to the Director of the Budget and Congress appropriates, but since it is not taxpayers' money, Congress only in effect ratifies board action. For the operation of the Federal land banks—again no total figures are available—estimates bring the amount above $2,000,000 annually. It appears that the expenses exceed the legal amount of 1 per cent spread allowed for operation under this act. It is notably negligent of the Federal Farm Loan Board not to supply Congress and stockholders annually with all the needed figures by which the administrators' consistency with the law and with actual services rendered might be judged.

Mr. Hoover has farmers' and taxpayers' immediate relief, if not their ultimate protection, in his own hands. On March 5, if he wished, he could issue an Executive order. Besides his advocacy of civil service for appointees, he acknowledges agriculture to be our most urgent economic problem; he also deplores indifference to public corruption. Only less important than the farmer's income is his outgo for interest and amortization on his mortgages. To neglect this important phase of farm relief would expose Mr. Hoover's sincerity to challenge.

The greatest threat in the farm loan system, to farmers and citizens alike, comes in its management. The banks depend on the character and skill of the men who run them, and the character and degree of supervision exercised over their acts. The institution as it stands suffers from inherent weaknesses. With the exception of Indians, minors, and wards of the State, no groups is so helpless as the 500,000 farmers who turned for assistance to the land banks which were to have been their deliverance.

It is highly improbable that the board will recommend even that the Federal employees of the system should be put under civil service. Mr. Meyer has praised several recent appointments on the ground that men have been chosen who could not have been induced to take office at the rates of pay possible under civil service. Appointment has some advantages, in the hands of honest and competent men; but for a system such as this, handling colossal funds, the civil-service principle is unquestionably superior.

The basic remedy lies in taking the entire rural credit system out of politics. To be sure, this would not be a simple matter, since the Government owns the intermediate banks. If the Government is compelled to remain in the banking business, it might logically go further into business, buy out the farmers who own the Federal land banks, harmonize these banks with the intermediate, and attempt a really social control of credit, assuming all responsibility.

The other course is to pass Senator HOWELL'S pending bill to return the control and management of their own land banks to the stockholders. But to do that, without making good the losses which have occurred under political control, would be to hand the farmers another gold brick. Once they secured control, the stockholders could pay for the application of able minds to bank problems; with justice done, the farmers may still enjoy the advantages to be derived from liberalization of credit, advantages which they earned when they took the risk of pooling practically all their possessions in this great venture.

GERTRUDE MATHEWS SHELBY.

(This is the third and last of a series of articles on the Federal farm-loan system.)

[Excerpt from letter of a director of a farm loan association, February 16, 1929]

STRANGLE SYSTEM OBJECT OF FARM LOAN BOARD

I have been much interested in the farm-loan system from its inception, partly because I am personally acquainted with its personnel. I believe the plan is a good thing for the farmers. I have followed with care all that has been mentioned in the CONGRESSIONAL RECORD, and have come to the conclusion that there is a systematic attempt to strangle the system after it has been used for political purposes.

ONLY DEPENDABLE LACKEYS ARE NAMED

Associations of our State formed a federation last year to handle any problems that might arise. * * * The policy of the Farm Loan Board seems to be to appoint only men they can rely on to do their bidding as directors, appraisers, or field representatives, and hold these men responsible for any revolt of the associations.

ILLEGAL LIABILITY PROPOSED BY BOARD

The copy of the so-called agreement by associations and the Berkeley Bank is interesting. The associations may sign it, but they are foolish if they do, for while they now lose dividends, they would incur additional liability if they enter into this contract.

FARMER STOCKHOLDERS SHOULD ORGANIZE

My opinion has been for a long time that the only redress we (the stockholders) can expect to obtain will be by personal appeals to Members of Congress by their constituents.

LESS AND LESS LOANS AVAILABLE

In 1926 this association sent forward 30 applications. The bank granted 18.

In 1927 we submitted 47 and the bank granted 22.

In 1928 we sent in 19 and the bank granted 7.

In addition to the rejections appearing above the association had 4, 5, and 4 rejected for corresponding years.

I am trusting that the system may become of more benefit to the farmer, either by investigation or other action by Congress.

AN EXPERT SPEAKS THE TRUTH ABOUT FARM LOAN SYSTEM

James B. Morman, for years with the Farm Loan Board, in his book about the farm-loan system, published by Macmillan's, says:

"As a result of the political development of the Federal farm-loan system, it is without question the most gigantic spoils system in the United States. It is a runaway star in the rural-credits constellation. It is at present beyond the control of the Government and of Congress—an exploiter of the public as taxpayers and of the farmers as stockholders. * * * The enormous profits have been wrung from the small income of farmers and are being used to enlarge the bank accounts of political appointees who are thus enabled to clothe themselves in purple and fine linen and fare sumptuously every day while many of the farmer borrowers and their families are lacking in the simplest things required to maintain the standard of living of the poorest American home."

OHIO RIVER BRIDGE NEAR MOUNDSVILLE, W. VA.

The PRESIDING OFFICER (Mr. COUZENS in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 4778) authorizing the Moundsville Bridge Co. to construct a bridge across the Ohio River at or near the city of Moundsville, W. Va., which were on page 3, line 10, to strike out "twenty" and insert "ten"; on page 6, after line 5, to insert:

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than $5,000, shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required, and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

And on page 6, line 6, strike out "8" and insert "9".

Mr. NEELY. I move that the Senate concur in the House amendments.

The motion was agreed to.

TETON NATIONAL PARK, S. DAK.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4385) to establish the Teton National Park in the State of South Dakota, and for other purposes.

Mr. NORBECK. I move that the Senate nonconcur in the amendment of the House, ask for a conference on the disagreeing votes of the two Houses, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. NORBECK, Mr. NYE, and Mr. KENDRICK conferees on the part of the Senate.

EMPLOYMENT OF ENGINEERS AND ECONOMISTS ON RECLAMATION WORK

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4528) authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work, which were, on page 1, line 5, to strike out "not to exceed three" and insert "five"; on page 1, lines 6 and 7, to strike out "on any project,"; and on page 2, line 1, to strike out "$3,500" and insert "$5,000."

Mr. MCNARY. In the absence of the Senator from Colorado [Mr. PHIPPS], who is detained on account of illness and at his request, I move that the Senate concur in the House amendments.

The motion was agreed to.

TRIBAL FUNDS OF INDIANS ON KLAMATH RESERVATION, OREG.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4517) 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, which was to amend the title so as to read: "An act authorizing the appropriation of tribal funds of Indians residing on the Klamath Reservation, Oreg., to pay expenses of the general council and business committee, and for other purposes."

Mr. MCNARY. I move that the Senate concur in the House amendment.

The motion was agreed to.

RELIEF OF POSTMASTERS AND ACTING POSTMASTERS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 5255) for the relief of present and former postmasters and acting postmasters, and for other purposes, which was to strike out all after the enacting clause and insert:

That postmasters and acting postmasters are authorized, when in the judgment of the Postmaster General the needs and interests of the Postal Service require, to employ mail messengers and other postal employees in a dual capacity, or to assign extra duties to such mail messengers and other employees; and, notwithstanding the provisions of sections 1763, 1764, and 1765 of the Revised Statutes, as amended (U. S. C., title 5, secs. 58, 69, and 70), compensation shall be paid to such mail messengers and other employees for such services if the total compensation actually paid for all services does not exceed $2,000 for any one fiscal year.

SEC. 2. The Comptroller General of the United States is authorized and directed to (1) allow credit in the accounts of present and former postmasters and acting postmasters for payments made by them, prior to the date of the enactment of this act, to mail messengers, postal employees, and other employees of the United States employed in post offices contrary to the provisions of sections 1763, 1764, and 1765 of the Revised Statutes, as amended (U. S. C., title 5, secs. 58, 69, and 70), section 3850 of the Revised Statutes (U. S. C., title 39, sec. 52), and section 226 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended (U. S. C., title 18, sec. 356); and (2) pay to such mail messengers, postal employees, and such other employees an amount equal to the sums refunded by them or deducted from balances due them prior to the date of the enactment of this act, under the laws referred to in subdivision (1) of this section.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. MOSES. I move that the Senate concur in the amendment made by the House of Representatives.

The motion was agreed to.

ADDITION OF LANDS TO BOISE NATIONAL FOREST

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1577) to add certain lands to the Boise National Forest, Idaho.

Mr. MCNARY. I move that the Senate disagree to the amendment of the House, request a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCNARY, Mr. CAPPER, and Mr. SMITH conferees on the part of the Senate.

REGULATION OF NAVIGATION ON THE GREAT LAKES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 5095) 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, which was on page 1, line 7, after the figure "1928" to insert: "(U. S. C. title 33, sec. 252)."

Mr. JONES. I move that the Senate concur in the House amendment.

The motion was agreed to.

FARMERS' PRODUCE MARKET

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 8298) authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

Mr. TYDINGS. Mr. President, I am again going to appeal to the fairness of the Senate in the moment that I shall speak as to whether or not it is fairer to the people of Washington to support an amendment to the bill which will permit some impartial commission to make a survey of all of the sites and select the best one, rather than to take this one which, according to the way I see it, has no merit and very little, if any, official sanction from any source whatsoever. I shall prepare such an amendment as that in the hope that the fairness of the proposition will appeal to the Senate.

Mr. FRAZIER. Mr. President, there has been a great deal of interest taken by the farm people and by the business interests in the location of this market. I have a letter or two to which I wish to refer. One is on the letterhead of W. H. Harrison & Co. (Inc.), commission merchant, dated January 18, 1929, in which the writer says:

This letter is sent to you to protest against the passing of H. R. 8298 now pending before the Senate. This bill provides for the locating of a wholesale farmers' market in the southwest section of this city.

We, the undersigned business men of the city of Washington, who handle 85 per cent of the perishable food products shipped to this city and who are taxpayers in this community, protest against this legislation as being favorable to a few and unfavorable to a majority of the citizens of Washington. Realizing that we must move our business to make room for the Federal building program we made a complete survey of the situation, assisted by Mr. George B. Ford, vice president, Technical Advisory Corporation, and past president of the American City Planning Institute.

This analysis proved that a location nearer the center of population permitting more economical distribution would benefit the Washington public. Mr. Ford's report is available and will be furnished to you upon request.

I do not know that there is need to read the rest of the letter, but it is signed by apparently some of the biggest commission firms in the city, such as William H. Harrison Co., Thomas A. Cannon, W. Charles Heitmuller Co., N. J. Ward & Co. (Inc.), and others. It is signed by 16 commission firms who claim they handle 85 per cent of the perishable farm and vegetable products that come to the city of Washington.

Mr. President, it seems to me——

Mr. GLASS. Mr. President, may I interrupt the Senator to ask if he is aware of the fact that that is the Mr. Harrison who heads the real-estate syndicate which has an option on the Patterson tract on which he proposes to make money? Is not that the same Mr. Harrison?

Mr. FRAZIER. I do not know about that, but the letter states that the tract known as the Patterson tract is one where provisions were made to get it after the hearings had been held on the so-called Stalker bill, and apparently it has nothing to do with this proposition at all.

Mr. GLASS. Oh, it has everything to do with it.

Mr. FRAZIER. I can not agree with the Senator on that point. I am frank to say that I think the Pennsylvania Railroad Co. has more to do with it than any real-estate firm.

Mr. President, I have a telegram signed by the United Market Farmers' Association. It is dated February 26, and reads:

Fight hard to defeat Stalker bill. Farmers and customers will not patronize southwest site. Unjust expenditure of taxpayers' money.

Mr. President, a number of delegations of farmers and representatives of farmers' organizations of Maryland and Virginia have called at my office in relation to this measure. From what I can understand from those farmers, who represent the bulk of the farmers bringing their produce to Washington for sale, in my opinion it will be impossible to force a market down in the southwest part of the city. The market of necessity must go farther north into the business part of the city. I think it would be an absolute waste of Government money and of the taxpayers' money to spend $300,000 for the proposed location of the market on the water front, where it will not be used by the bulk of the farmers who produce the products which sell on the market. The market should be located where the people will buy and where the merchants will buy, and not down on the water front.

I do not care to make any further statement except to say that I have a letter from the director of cooperative extension work in agriculture and home economics of the University of Maryland opposing the southwest site for the market; also a letter from N. J. Ward & Co. in opposition to the southwest site. It seems to me absolutely absurd to locate a market where apparently the bulk of the farmers who produce the products that will be sold there are in opposition to it.

Mr. TYDINGS. I desire to give notice that I shall offer a new amendment, reading as follows:

Provided, however, That the acquirement of such site or any other site in lieu thereof shall be subject to the prior approval of a commission composed of three persons appointed by the President of the United States.

Mr. GLASS. Mr. President, I understood the Senator to say that he was going to permit me to name them.

Mr. TYDINGS. I offered to do so, but the Senator let the opportunity pass without acceptance.

Mr. GLASS. Oh, no; I accepted the Senator's proposition. [Laughter.] I ask for a vote on the amendment proposed by the Senator from Maryland.

Mr. TYDINGS. Mr. President, I said I desired to serve notice that I intended to offer such an amendment. I have not as yet offered it.

Mr. GLASS. Then I suggest that we have a vote on the bill.

INVESTIGATION OF POWER COMPANIES

Mr. NORRIS. Mr. President, there have been almost daily, when the Federal Trade Commission were in session investigating the alleged Power Trust, disclosures of vast importance in which the entire country would be interested if they understood what they were. I have had called to my attention some evidence adduced there recently, pertaining particularly to Alabama, which I think is exceedingly interesting in a national way.

I am about to read extracts from the Mobile (Ala.) Register, in which the headlines read:

Columns of two Alabama newspapers used at will in spreading propaganda. "News" issues are scorned by Register. Bradley's letter says Thompson papers did not print A. P. C. Bureau bulletins.

"A. P. C.," I take it, means the Alabama Power Co.

Advertiser-News used power company matter.

Montgomery and Birmingham dailies are branded as "unfailing mediums."

Reports sent officials.

Former propagandist says school superintendents were on mailing list.

That is under a Washington date line of January 10, and what I am reading now is a Washington dispatch:

(By Hubert Baughn, chief Washington bureau, register and associated newspapers)

WASHINGTON, January 10.—Among the exhibits which went into the record of the Power Trust investigation with Leon C. Bradley's testimony to-day was a letter which the former Alabama Power Co. propagandist wrote on April 22, 1924, to Gen. Walter E. Bare, Alabama manager of the Southern Bell Telephone Co., in which he divided the daily newspapers of the State—

That is, the State of Alabama—

into two distinct groups—those which printed as editorial matter the power propaganda furnished by his bureau and those which did not. The letter emphatically placed the Mobile Register and its associated newspapers in the latter group.

That is, the Mobile newspapers did not print as editorial matter the propaganda sent out by Mr. Leon C. Bradley, whose testimony was being taken, and who is a propagandist of the Power Trust in Alabama. There will be some reference made to these Mobile newspapers later. I repeat, the two classes of those newspapers in Alabama were—

Those which printed as editorial matter the power propaganda furnished by his bureau and those which did not. The letter emphatically placed the Mobile Register and its associated newspapers in the latter group while the Montgomery Advertiser and Birmingham News were held up as unfailing mediums for the dissemination of Power Trust propaganda.

Bradley's letter to General Bare was a review of the activity of the propaganda bureau in sending out a so-called "news bulletin" once a week to the newspapers of the State.

USE PRACTICALLY NOTHING

"Among the larger dailies of the cities," it said, "the four Thompson papers use practically nothing from our bulletin."

As I understand—and I notice that both the Senators from Alabama honor me with their presence and attention, and if I am wrong, I would like to be corrected—as I understand, included in the four Thompson newspapers are these Mobile newspapers that have refused to publish the propaganda of the Power Trust. Am I correct about that?

Mr. BLACK. There are four Thompson newspapers—one in Mobile, one in Montgomery, one in Florence, and one in Sheffield.

Mr. NORRIS. The so-called Thompson newspapers referred to in this dispatch are the four newspapers printed in those four cities of Alabama.

Mr. BLACK. That is correct.

Mr. NORRIS. I continue the reading:

The Montgomery Advertiser and the Birmingham News use it every week in their interview columns on the editorial page, crediting some to other people.

After leaving the witness stand—

The last statement I have read is a quotation from the witness, Mr. Bradley, who was their representative—

Bradley told the Register correspondent that the interview columns to which he referred were the News and Interview column in the Birmingham News and the Passing Throng of the Montgomery Advertiser.

Chief Counsel Healy, of the Federal Trade Commission, drew from Bradley the admission that about 6,000 copies of the propaganda bulletin were issued weekly, and that all county school superintendents of the State, all public libraries, and scores of State, county, and city officials were on his mailing list.

Although Healy put Bradley through a long and vigorous cross-examination, he overlooked to question him regarding the undercover activity of the power company in opposition to school bond issues submitted to the voters of Alabama soon after adjournment of the last session of the legislature. Bradley directed publicity for the interests which waged a bitter fight against the school-expansion program.

As I understand, in Alabama a bond issue was submitted to the people in order to secure funds to expand the educational system of the State, and the power companies, through the leadership of this propagandist, Mr. Bradley, took a very active part in opposition to the proposed expansion of the public schools.

In another column in the same newspaper there is an article written by Mr. Baughn, who is the chief Washington representative of the Mobile Register and associated newspapers, from which I read this:

WASHINGTON, D. C., January 10.—How the Alabama Power Co. used the editorial columns of the Birmingham News and Montgomery Advertiser at will was related to the Federal Trade Commission in sensational testimony to-day by Leon C. Bradley, former director of the propaganda bureau of the Alabama wing of the Power Trust.

In a letter to Thomas W. Martin, president of the power company, Bradley reported in 1926 that he "did not even have to leave his office" to get Power Trust editorials in the Birmingham News and that during a 12 months' period no less than 75 propaganda items prepared by his bureau were published on the editorial page of the Montgomery Advertiser.

I ought perhaps to digress here to say—it is no news to the Members of the Senate, however—that in Alabama is located Muscle Shoals; this fight in the State of Alabama has clustered around the question of Muscle Shoals, and during the last 8 or 10 years that Muscle Shoals has been before Congress, the Alabama Power Co. has always been an active participant as well as having its correlated organizations, its subsidiaries, and other companies interlocking with it, constituting altogether the great Power Trust.

Bradley wrote Martin—

Remember, now, that Bradley was a representative of the Power Trust, the one who had charge of the propaganda and operated its bureau, and Martin was president of the Alabama Power Co.—

Bradley wrote Martin in the same letter that he was "constantly furnishing information and propaganda advantageous to the utilities, to newspapers, and members of the public-service commission" and that his bureau also served as a clearing house for propaganda issued by the National Electric Light Association. This letter, taken from the files of Bradley's office, was identified by him to-day and made a part of the record.

Bradley testified that his bureau spent $46,390 from October, 1922, to May, 1926. The Alabama Power Co. and the Birmingham Electric Co. were the principal contributors, but the Montgomery Light & Power Co., the Southern Bell Telephone Co., and the Alabama Water Co. were other contributors.

QUIZZED TWO HOURS

Robert Healy, chief counsel for the Trade Commission, examined Bradley for two hours and brought to light numerous propaganda activities of the power interests in Alabama. Bradley told of handling publicity for the power company for three weeks in the spring of 1927, when the company was seeking to gain control of the municipal light plant in Dothan. He said he wrote more than 100 articles and furnished them to the Dothan Eagle.

Here is a question from Mr. Healy, attorney:

"Were the articles published as advertising matter?" Healy asked.

"No; the Eagle wanted the power company to get the Dothan plant and were glad to print my articles as news items," Bradley answered.

Bradley admitted to Healy that the Dothan Eagle did not tell its readers that the "news items" were being paid for by the power company, but he said the other newspaper in Dothan, the Wiregrass Journal, "told the public about it the day after I started my series of articles."

SURVEY UNFINISHED

Bradley, when questioned regarding the activities of the power company in schools and colleges of the State, testified that the secret survey of textbooks which he started several years ago was never completed. He said he found "the situation was not as bad as it had been reported." Bradley said he knew nothing about the operation of the Alabama radio station formerly owned by the power company, but Healey sought to show that it had been used for propaganda purposes prior to its donation to Auburn in 1925. A letter to Healy from W. J. Baldwin, director of publicity for the power company, denied this.

Healy brought out that Bradley worked with C. A. Beasley, Washington lobbyist of the power company, on Muscle Shoals and kept up a running fire of propaganda throughout the State in favor of the power trust's bid. Bradley admitted he made use of certain newspapers in this campaign.

I wonder if Senators remember the contest that went on for quite a number of years, in which this activity on the part of the Power Trust in its efforts to control the action of Congress in regard to Muscle Shoals was manifested, and is still going on, I may say. I wonder if Senators have forgotten it. We did not always know where these things came from; we did not always know who the propagandists were; but, little by little, the investigation of the Federal Trade Commission is disclosing the identity of some of these men.

For instance, let me repeat, Healy brought out the fact that the activities of Leon Bradley, whose letter I am going to read and who was referred to in the article which I have read, were paid for, as he says in his testimony they were, by the power companies. We did not know about that. Most of the Senators are acquainted with Mr. Beasley, who, we understood, was friendly to the Alabama Power Co., and is one of its Washington representatives. We did not know of the assistance he was getting from the man who was heading the propaganda bureau down in Alabama in his efforts to defeat any action on the part of Congress that would retain in the people of the United States the title to that valuable property, built and constructed by the taxpayers' money, at Muscle Shoals; but this discloses it. This shows it.

The dispatch which I have just read referred to a letter that Mr. Bradley wrote to the president of the Alabama Power Co. I am going to read that letter. It is part of the files of the Federal Trade Commission in this investigation that has been going on. It is directed to Mr. Thomas W. Martin, president of the Alabama Power Co., Birmingham, Ala.

DEAR SIR: You will be interested in these two editorials from the Birmingham News of Saturday and Sunday.

I am sorry I have not those two Birmingham News editorials. They undoubtedly were part of the propaganda that Mr. Bradley was preparing and publishing; and the readers of those papers had no idea that this material was prepared by the paid representative of the power company.

The only difference between these editorials and hundreds of others which have appeared in the Alabama newspapers since I have been conducting this bureau is that I had the name of the bureau mentioned in these so there could be no misunderstanding as to who had put them in.

I have always suggested to the newspapers wherever possible to avoid mentioning my name or the name of the bureau, as anyone who understands publicity and politics knows it is more effective if the

article appears to the reader to emanate from the newspaper itself rather than from some utility source.

It might interest you to know that there have been more than 75 separate articles on the editorial page of the Montgomery Advertiser during the past 12 months regarding public utilities which were taken verbatim from our news bulletin. The number in the weekly papers runs into hundreds.

Think of that, Senators! Here is one paper which he mentions in the letter—a confidential letter from the hired man to the boss, telling what his work is, and what he is doing—and he says that "There have been more than 75 separate articles on the editorial page of the Montgomery Advertiser during the past 12 months regarding public utilities," and that those 75 articles "were taken verbatim from our news bulletin. The number in the weekly papers runs into hundreds."

The letter continues:

I am constantly furnishing information and propaganda advantageous to the utilities, not only to newspapers and members of the public service commission, but to other organizations as well. I also serve as a clearing house for Alabama utilities information for the National Electric Light Association and similar organizations.

Very truly yours,

LEON C. BRADLEY, *Director.*

Note that he is "constantly furnishing information and propaganda advantageous to the public utilities." To whom does he furnish it? He says, "not only to newspapers"—it is not only these newspapers that are printing without the change of a single word his editorials and these articles that he writes—"but I am sending them to others." Who are they? "Members of the public service commission."

That is one of the places where in the end the Power Trust poisons the minds of the people of the country. They are supplying with their material the commissions whose duty it is to regulate electric power and light rates; the commissions that are supposed to stand between the people and the Power Trust; the commissions that are doing the regulating of to-day, that the power companies and their adherents all admire so much. They are all in favor of regulation of electric-light rates; and, in order to regulate the electric-light rates, this shows how they regulate the regulator. These commissions, in the main honest and sincere, elected to public positions for the purpose of regulating the rates charged by the public utilities undoubtedly intending in the majority of cases to do what is right between the utilities and the people, are not only faced daily, weekly, monthly, and yearly with this propaganda prepared by the Power Trust, but in every contest they are faced with the ablest experts and the ablest attorneys that money can secure, while the public sometimes is not represented at all, and often is represented in a very inferior way.

In view of the fact that they are subjected constantly to that kind of pressure, that kind of a strain, is it any wonder that finally the Power Trust will be able to handle the commissions, even without the commissions ever knowing that they are being handled and controlled?

That is the failure of regulation. It is expecting of commissions more than humanity can stand. They are all human beings; and, even though they start out with a fair-minded view, they will wind up after a while with the viewpoint of the Power Trust.

They send this propaganda not only to the public-service commissions but to other organizations as well; and then this man says:

I also serve as a clearing house * * * for the National Electric Light Association.

Mr. President, going back again to these papers—the Thompson papers—the four of them in Alabama that were condemned by the Power Trust because they refused to publish their material four newspapers that bravely stood up for the rights of the people, and refused to be controlled by this propaganda—they had a newspaper in Mobile; and here is a letter showing how, when the Power Trust were not able to handle this paper in Mobile as they handled the papers named in other cities and other places, they started out to publish a new paper in Mobile.

Here is a letter written to Mr. Hubert Baugham by Mr. Frederick I. Thompson, who, as I understand—and again I shall be glad to be corrected if I am wrong—is one of the owners or managers of these so-called Thompson papers in Alabama. I want to read the letter. He says in this letter:

I do not wish to personally pass information, but you are at perfect liberty to use me as your authority for the statements made to you, which you can convey to anyone you desire, that the situation is this:

Immediately following the development before the Federal Trade Commission, with which you are familiar, that Thomas W. Martin, president of the Alabama Power Co., had secretly employed a professor of economics of the University of Alabama without even the knowledge of the president of the university himself; and the testimony of Leon C. Bradley, the propagandist of the Alabama Power Co., that he could get editorial matter in the Birmingham News without leaving his office, and that he obtained 75 different articles in the Montgomery Advertiser in one year, but that he could not get his matter in the "Thompson newspapers," Mr. Logan Martin, brother of Thomas W. Martin, and Mr. Thomas Martin himself, working through Thomas M. Stevens, an attorney of Mobile who does legal work for them, and D. P. Bestor, a director of the power company and president of the First National Bank of Mobile, with T. K. Jackson, vice president of the Alabama Power Co., proceeded to organize to publish a newspaper in Mobile.

Mr. Bestor, in addition to being a director in the power company and president of the First National bank, is recognized as one of the large stockholders in the Merchants National Bank, whose president is Mr. Ernest F. Ladd; and these two banks practically control the only remaining financial institution in Mobile, the Mobile National Bank, whose president is W. B. Taylor.

These bankers had initial meetings in the First National Bank building with Mr. R. B. Chandler of Birmingham, who is known to represent the interest of Martins, identified with the Alabama Power Co. as president and as general counsel. Following this organization to proceed with the plans for launching the new newspaper, these bankers sent for and called on various merchants in Mobile, to whom they advanced, in season, the current accommodations accorded merchants by banks. It is of specific information that they forced, to what extent of threat I do not know, certain merchants against their will, to agree to advertise in the paper yet unborn, at an advertising rate higher than that of the established papers.

As you know, I am not interested in the competition that would thus be promoted. Contrarily, it is felt by me and our organization that a power company organ, under such auspices, would serve to reemphasize the character and independence of our newspapers, their freedom from invisible and corrupt corporate control, and in the long run, be of substantial advancement to our newspaper properties.

But it is obviously a fact that the issue raised is one of broad national concern. It is understandable how in some smaller fields, or even fields larger than Mobile, where there was a publisher who sought honestly and in best judgment to run an independent newspaper and serve the public rather than a private interest, that he might be subjected, by threat of competition, because he would not be financially strong enough to resist it.

That statement of a broad public policy, it seems to me, must stand without the possibility of successful contradiction. In this particular case the newspaper was financially able to stand the opposition that was undertaken, and which I believe was never, in fact, consummated. But, as the writer says in this letter, there are thousands and thousands of others who would not be able to resist, under those circumstances, and would have to submit to the power trust or go to the wall.

I read further from this letter:

Fortunately for us, and fortunately also for the confidence that people appear to have in our newspapers, we are not in such position to be intimidated or injured materially by a power-company organ, or the organ of any private interest seeking to coercively control a public journal. That aspect appears to me to be of moment and concern.

I write you thus fully so that you will be informed of all the facts, and you have full authority to quote me as being responsible for these statements.

With regards,

FREDERICK I. THOMPSON.

Mr. President, this is only an incident, this is only one thing out of thousands that are being brought out almost daily by this investigation. Alabama is no exception. The same thing is going on practically everywhere else in the United States. The same methods are being employed to intimidate and coerce and to force and to mislead everywhere in the United States by the representatives of this great Power Trust.

We have seen in the past what they have done, and what they attempted to do in the city of Washington. We have had disclosed to us the hundreds of thousands of dollars they have spent to control this body. We have seen how they have fought from the beginning, daily, weekly, monthly, and yearly, every step that has ever been undertaken by representatives and committees of this body to save for the people of the United States the investment made at Muscle Shoals with the taxpayers' money.

I felt that I would be justified in taking up this much time of the Senate for the purpose of laying before the Senate these

disclosures, which, it seems to me, ought to excite the interest and the condemnation of all liberty-loving citizens everywhere.

FARMERS' PRODUCE MARKET

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 8298) authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

Mr. TYDINGS. Mr. President, I wish to offer an amendment at this point to the market bill which has been under discussion this afternoon, so that it may be printed and be available for consideration to-morrow when the bill comes up. The amendment provides——

Mr. GLASS. Would not the Senator like to have a vote on it now?

Mr. TYDINGS. The amendment provides that no site shall be selected until that site has been passed upon by three persons selected by the President of the United States. I did not think I could get a more impartial commission in any other manner than by the method I have suggested, and for that reason I have put it up to the President to name the commission.

Mr. GLASS. Mr. President, of course, everybody who is familiar with this market problem knows perfectly well that the number of sites available for market purposes is very limited, and these sites have over and over and over again been investigated in every aspect of the question, both as to their availability and as to their value, so that they may be brought within the limits of the authorization of the bill, and, of course, I shall oppose the proposed amendment of the Senator from Maryland, because these questions have repeatedly been passed upon by various bodies.

I did not rise for the purpose of saying that, however. Unless we are going to have a vote on this bill, and that speedily, I am going to continue on with its consideration to-night, and as far into the night as I may be able to hold a quorum here. I am perfectly willing, and have been, to give a reasonable time for discussion.

Mr. President, I propose a unanimous-consent agreement substantially to this effect, that beginning to-morrow at 1 o'clock we shall resume consideration of the unfinished business, and that at half past 2 o'clock debate on the bill and all amendments thereto shall be limited to 10 minutes.

Mr. TYDINGS. Mr. President, in order to clear up any possible misunderstanding, I think the Senator means that there will be 10 minutes on the bill and 10 minutes on any amendment, so that if a Senator wanted to speak on the bill he could speak 10 minutes on the bill, and also 10 minutes on any amendment. Is that right?

Mr. GLASS. I would rather it would be 10 minutes on the bill and the amendments thereto, because I think that is enough, but if the Senator is disposed to insist upon the other I shall not object to that interpretation of the request.

Mr. TYDINGS. I shall not interpose any objection, but I would appreciate it, if the Senator has any idea, if he would let me know about how much time he expects to consume between 1 o'clock and 2.30 to-morrow, if any.

Mr. GLASS. That I can not tell, beyond saying confidently that I will not consume half as much time as the Senator has consumed to-day.

Mr. TYDINGS. That is very witty, but I would rather get down——

Mr. GLASS. That is not witty; it is a fact, and it looks a little unreasonable to me——

Mr. TYDINGS. I am not objecting.

Mr. GLASS. That a Senator who has spoken approximately two hours on the bill to-day should seek by suggestion to put a limitation upon what I may say.

Mr. TYDINGS. I did not mean to suggest any limitation but I was asking the Senator in absolute good faith if he could give me an approximate idea, with no thought of holding him to the rigid letter, so that I could see what position our forces would be in, so to speak.

Mr. GLASS. The Senator has not any forces.

Mr. TYDINGS. I started out with 7, I had 29 to-day, and am hoping to add to them to-morrow.

Mr. BRUCE. Mr. President, if the Senator will yield to me just a moment, I would like to suggest to my colleague that he would have 20 minutes anyhow, 10 minutes on the bill, and 10 minutes on the amendment he has just offered, and so would any other Senator, if there is any one else who would desire to speak, even if there is no such assurance given to the Senator by the Senator from Virginia.

Mr. TYDINGS. I ask the Senator that question because I happen to know that two or three Senators wish to speak against the bill, in good faith.

Mr. GLASS. Or against time, which?

Mr. TYDINGS. They could not speak against time if the unanimous-consent agreement went into effect.

Mr. GLASS. I am unwilling to say how long I shall take on the bill. I shall certainly not consume time unnecessarily. If I discuss the bill at all, I will discuss the pending bill, and not some other bill.

Mr. TYDINGS. I shall not interpose any objection.

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

Mr. GLASS. I yield to the Senator.

Mr. BLACK. I did not understand what the unanimous-consent request was. There are two or three Senators interested who are not here now.

The PRESIDING OFFICER. It has not been granted yet.

Mr. BLACK. There are several who are not here who might be interested in the matter, and if there is to be a unanimous-consent agreement, I desire to suggest the absence of a quorum.

Mr. GLASS. I will say to the Senator that I am not proposing a time for voting on the bill.

Mr. BLACK. I did not understand just what it was.

Mr. GLASS. I am not proposing a time for voting on the bill. My proposal was for a unanimous-consent agreement that the unfinished business be taken up to-morrow at 1 o'clock. The Senator will understand that I could have it taken up at 11 o'clock, but I wanted to afford two hours for the calendar to-morrow if possible. I propose that the unfinished business be taken up at 1 o'clock, and that at half past 2 o'clock speeches on the bill and on amendments thereto be limited to 10 minutes.

Mr. SACKETT. Mr. President, does not the Senator want to include in the request a provision that each Senator may speak but once on the bill?

Mr. TYDINGS. And on each amendment.

Mr. GLASS. On the bill and each amendment.

Mr. SACKETT. That ought to be included in the unanimous-consent request, then.

Mr. TYDINGS. But a Senator could speak once on each amendment.

Mr. SACKETT. Once on each amendment and once on the bill.

Mr. GLASS. That, it seems to me, gives ample opportunity for anyone who wants further to discuss the bill, and I hope there will be no objection to that.

Mr. JONES. Mr. President——

Mr. GLASS. If there is objection to it, I shall insist upon going on to-night.

Mr. BLACK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Ashurst	Edge	McKellar	Smith
Barkley	Fess	McNary	Smoot
Bingham	Frazier	Mayfield	Steck
Black	George	Moses	Steiwer
Blaine	Gerry	Neely	Stephens
Blease	Glass	Norbeck	Swanson
Borah	Glenn	Norris	Thomas, Idaho
Bratton	Goff	Nye	Thomas, Okla.
Brookhart	Hale	Oddie	Trammell
Broussard	Harris	Overman	Tyson
Bruce	Harrison	Pittman	Vandenberg
Capper	Hastings	Ransdell	Walsh, Mont.
Caraway	Hayden	Reed, Pa.	Waterman
Copeland	Heflin	Robinson, Ark.	Watson
Couzens	Johnson	Robinson, Ind.	Wheeler
Curtis	Jones	Sackett	
Deneen	Kendrick	Schall	
Dill	Keyes	Sheppard	

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. GLASS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, that its consideration be resumed at 1 o'clock p. m. to-morrow, and that after the hour of 2 o'clock and 30 minutes p. m. no Senator may speak more than once or longer than 10 minutes upon the bill or any amendment thereto.

The PRESIDING OFFICER. Is there objection?

Mr. HEFLIN. Mr. President, what hour is fixed?

Mr. GLASS. Half-past 2 to-morrow afternoon.

Mr. BLAINE. Mr. President, I dislike to object, but I want to suggest to the Senator from Virginia that we have had a great deal of dissatisfaction with cutting off general debate as proposed. His proposal will allow only an hour and a half, and we would have substantially only 20 minutes for debate thereafter. I suggest to the Senator that he postpone the hour until at least half past 3. I would like really to have it 4 o'clock.

Mr. GLASS. If the Senator prefers to go on to-night I am perfectly willing to carry the bill on through to-night.

Mr. BLAINE. If the Senator will permit another suggestion, where there is only an hour and a half for general debate I have observed that some Senator takes the floor and discusses

some other question than the unfinished business or the business that is before the Senate, and then other Senators are deprived of an opportunity for general debate.

Mr. GLASS. Very well, I will make it 3.30 then.

The PRESIDING OFFICER. Is there objection? The Chair hears none and the unanimous-consent agreement is entered into.

The unanimous-consent agreement as entered into is as follows:

Ordered, by unanimous consent, That the unfinished business be temporarily laid aside, that its consideration be resumed at 1 p. m. to-morrow, and that after the hour of 3.30 p. m. no Senator may speak more than once or longer than 10 minutes upon the bill or any amendment thereto.

NAVAL APPROPRIATION BILL

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16714) "making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8 and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, 7, 14, 16, 18, and 19, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum inserted by said amendment insert the following: "$170,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum inserted by said amendment insert the following: "$12,240,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum inserted by said amendment insert the following: "$230,000"; and the Senate agree to the same.

Amendment number 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum inserted by said amendment insert the following: "$31,430,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out "$500,000" and insert in lieu thereof "$200,000"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 1, 13, 15, and 17.

FREDERICK HALE,
L. C. PHIPPS,
CLAUDE A. SWANSON,
Managers on the part of the Senate.

BURTON L. FRENCH,
GUY U. HARDY,
JOHN TABER,
W. A. AYRES,
W. B. OLIVER,
Managers on the part of the House.

Mr. HALE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report.

Mr. NORRIS. I will have to object to that to-night.

The PRESIDING OFFICER. Objection is made.

Mr. HALE. I move that the Senate proceed to the consideration of the conference report.

Mr. GLASS. Mr. President, will the effect of that be to displace the unfinished business?

The PRESIDING OFFICER. No; it will not; because the unfinished business is already laid aside.

Mr. NORRIS. Suppose the motion prevails and then we do not finish consideration of the conference report to-night, which is not at all improbable; what will happen when we reach 1 o'clock to-morrow?

The PRESIDING OFFICER. The conference report is privileged business anyway.

Mr. NORRIS. I would like to call the attention of the Chair to the fact that while a conference report is privileged to the extent that it can be presented at any time, the only way by which a conference report can be taken up is by unanimous consent or a vote of the Senate.

I would like to say to the Senator from Maine that I am objecting to taking up the conference report to-night because there are several Senators who are interested in it who have asked me and others to see what it is. I do not know what the conference report is, and I want an opportunity to examine it. There may not be two minutes delay to-morrow if I can have an opportunity to look into it to-night, but if I am to be denied the right even to read it——

Mr. HALE. I am entirely willing to explain it now.

Mr. NORRIS. Exactly. The Senator can explain it, and that may be satisfactory; but it may not be. I think on an important bill of this kind the Senator ought not to object to having it go over one day.

Mr. MOSES. Mr. President, the form of the report is such that the Senator from Nebraska could not know what is in it unless he knows the various amendments by number.

Mr. NORRIS. I will have to get the bill and look them up.

Mr. MOSES. The Senator from Maine is ready to explain the report.

Mr. GLASS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GLASS. Can a conference report supersede a unanimous-consent agreement?

The PRESIDING OFFICER. There is no unanimous-consent agreement to adjourn or recess to-night. None has been entered into.

Mr. GLASS. I am talking about to-morrow. Suppose consideration of the conference report has not been concluded by 1 o'clock to-morrow, what becomes of the unanimous-consent agreement?

The PRESIDING OFFICER. The Senate would then proceed under the unanimous-consent agreement.

Mr. NORRIS. There are quite a number of amendments to the naval appropriation bill. Some of them are somewhat involved and some of them are quite lengthy. It strikes me that on a bill as important as that the Senator from Maine ought not to expect the Senate to proceed too hurriedly. If even only one Member of the Senate wants to look into the conference report, he should have at least a few hours to do it. Of course, I do not mean to disparage any explanation the Senator from Maine might make.

Mr. HALE. The conference report is very simple. We have very few amendments to the bill.

Mr. NORRIS. I happen to have the bill open before me, and I see amendment No. 17 right in front of me. That would not indicate that there are so few amendments to the bill.

Mr. HALE. There are very few amendments to the bill.

Mr. NORRIS. Of course that only demonstrates the Senator's idea of what should be done. It is different from my viewpoint. I think 17 amendments can not be designated as very few amendments. I think it is quite a number. I happen to have before me an amendment which takes up practically a whole page of the bill.

The PRESIDING OFFICER. The Senator from Maine has moved that the Senate proceed to consideration of the conference report, and that motion is not debatable.

Mr. NORRIS. Mr. President, if that be the decision of the Chair, I will appeal from it. It is after 2 o'clock.

The PRESIDING OFFICER. The Chair desires to read Rule XXVII on page 31 of Senate Rules and Manual, which is as follows:

REPORTS OF CONFERENCE COMMITTEES

1. The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Ashurst	Brookhart	Dill	Goff
Barkley	Broussard	Edge	Hale
Bingham	Bruce	Fess	Harris
Black	Capper	Frazier	Harrison
Blaine	Caraway	George	Hastings
Blease	Copeland	Gerry	Hayden
Borah	Couzens	Glass	Heflin
Bratton	Deneen	Glenn	Johnson

Jones	Nye	Sheppard	Trammell
Kendrick	Oddie	Simmons	Tyson
Keyes	Overman	Smith	Vandenberg
McKellar	Pittman	Smoot	Walsh, Mont.
McNary	Ransdell	Steck	Waterman
Mayfield	Reed, Pa.	Steiwer	Watson
Moses	Robinson, Ark.	Stephens	Wheeler
Neely	Robinson, Ind.	Swanson	
Norbeck	Sackett	Thomas, Idaho	
Norris	Schall	Thomas, Okla.	

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. NORRIS. A parliamentary inquiry. Will the Chair state the question upon which we are about to vote?

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine [Mr. HALE] that the Senate proceed to consideration of the conference report on House bill 16714.

Mr. NORRIS. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FESS (when Mr. BURTON's name was called). My colleague, the junior Senator from Ohio [Mr. BURTON], is detained from the Senate. He is paired with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. GEORGE (when his name was called). I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. I do not know how he would vote if present, and therefore withhold my vote.

Mr. SCHALL (when Mr. SHIPSTEAD's name was called). My colleague [Mr. SHIPSTEAD] is very ill and unable to be here to-day.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. BURTON], who I see is absent. I transfer that pair to the senior Senator from Florida [Mr. FLETCHER], and will vote. I vote "yea."

The roll call was concluded.

Mr. McKELLAR. On this question I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. I transfer that pair to the senior Senator from Missouri [Mr. REED], and vote "yea."

Mr. REED of Pennsylvania. I transfer my pair with the Senator from Delaware [Mr. BAYARD] to the Senator from Massachusetts [Mr. GILLETT], and vote "yea."

Mr. JONES. I desire to announce the absence on account of illness of the senior Senator from Connecticut [Mr. McLEAN], the junior Senator from New Mexico [Mr. LARRAZOLO], and the senior Senator from Colorado [Mr. PHIPPS]. If present those Senators would vote "yea."

I also desire to announce the general pair of the Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN].

Mr. GERRY. I wish to announce the necessary absence of the Senator from New Jersey [Mr. EDWARDS], the Senator from Nevada [Mr. PITTMAN], the Senator from Maryland [Mr. TYDINGS], the Senator from Massachusetts [Mr. WALSH], the Senator from New York [Mr. WAGNER], and the Senator from Mississippi [Mr. STEPHENS]. If present they would vote "yea."

The result was announced—yeas 50, nays 13, as follows:

YEAS—50

Ashurst	Fess	Keyes	Simmons
Barkley	Gerry	McKellar	Smith
Bingham	Glass	McNary	Steck
Bratton	Glenn	Moses	Steiwer
Broussard	Goff	Norbeck	Swanson
Bruce	Hale	Oddie	Thomas, Idaho
Capper	Harris	Ransdell	Trammell
Caraway	Hastings	Reed, Pa.	Tyson
Copeland	Hayden	Robinson, Ark.	Vandenberg
Couzens	Heflin	Robinson, Ind.	Waterman
Deneen	Johnson	Sackett	Watson
Dill	Jones	Schall	
Edge	Kendrick	Sheppard	

NAYS—13

Black	Brookhart	Norris	Wheeler
Blaine	Frazier	Nye	
Blease	Mayfield	Thomas, Okla.	
Borah	Neely	Walsh, Mont.	

NOT VOTING—32

Bayard	Gould	McLean	Shipstead
Burton	Greene	McMaster	Shortridge
Curtis	Harrison	Metcalf	Smoot
Dale	Hawes	Overman	Stephens
Edwards	Howell	Phipps	Tydings
Fletcher	King	Pine	Wagner
George	La Follette	Pittman	Walsh, Mass.
Gillett	Larrazolo	Reed, Mo.	Warren

So the motion was agreed to, and the Senate proceeded to consider the conference report.

The VICE PRESIDENT. The question is on agreeing to the report.

PERMITS AND LICENSES—COLORADO RIVER AND TRIBUTARIES

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 201) 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, which was on page 1, line 10, to strike out "unless and until" and to insert "until the 5th day of March, 1930, unless prior thereto."

Mr. BRATTON obtained the floor.

Mr. ASHURST. Mr. President——

Mr. BRATTON. I yield to the Senator from Arizona.

Mr. ASHURST. Before action is taken on the amendment of the House of Representatives to the joint resolution I desire to examine it.

The VICE PRESIDENT. The amendment of the House to the joint resolution will lie on the table.

Mr. BRATTON subsequently said: Mr. President, I move that the Senate concur in the House amendment to Senate Joint Resolution 201.

The motion was agreed to.

OFFICIAL PAPERS OF THE TERRITORIES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1168) to amend an act entitled "An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives," approved March 3, 1925, which were, on page 2, to strike out all after "of," where it appears the second time, in line 11, down to and including the word "copies," in line 13, and insert:

1,950 copies for the Department of State, of which 6 copies shall be delivered to each Senator and 2 copies to each Representative, and 8 copies for each State or Territory to be distributed to historical associations, commissions, museums, or libraries, and to other nondepository libraries therein designated by the governor of each State or Territory, 4 copies for the library of the Department of the Interior, and the remainder of said 1,950 shall be.

On page 2, line 21, after the word "appropriated," to insert "not more than"; and on page 2, lines 21 and 22, to strike out "the appropriations to remain available until expended."

Mr. FESS. I move that the Senate concur in the House amendments.

The motion was agreed to.

TROPIC EVERGLADES NATIONAL PARK, FLA.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4704) 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 Tropic Everglades National Park in the State of Florida, and for other purposes, which was, on page 2, line 2, to strike out all after the word "State" down to and including the word "purpose," in line 5, and insert the following:

including in his report full information as to the ownership, value, estimated cost to acquire, and character of the lands involved, and his opinion as to whether such areas measure up to national-park standards. Any appropriations for the National Park Service shall be available for the necessary expenses of such investigation.

Mr. FLETCHER. I move that the Senate concur in the House amendment.

The motion was agreed to.

SUPPLY OF NEWSPRINT PAPER TO PUBLISHERS OF SMALL NEWSPAPERS

Mr. SCHALL. Mr. President, in order to take as few moments as possible, I have reduced the statement which I wish to make to writing, and I ask that it may be read by the clerk.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

Mr. SCHALL. Mr. President, I ask to call up Senate Resolution 337, which I introduced Saturday. This resolution authorizes the Federal Trade Commission to conduct an inquiry into the newsprint monopoly as it affects the small daily and weekly newspapers. The resolution is identical with my Resolution 292, which was referred to the Agricultural Committee and which called for the appointment of a select committee of five Senators to investigate the newsprint situation with a view to determining whether or not corrective legislation was necessary in order to insure the publishers of the smaller dailies and weeklies an adequate supply of newsprint in the future at reasonable prices.

A public hearing on the measure was held by the Senate Committee on Agriculture January 30, and the resolution favorably reported to the Senate on February 7. Because a proposed expenditure of $25,000 was covered in the resolution, it was subsequently referred to the Senate Committee to Audit and Control the Contingent Expenses of the Senate. It was at the suggestion of the senior Senator from Ohio [Mr. FESS] that the

resolution was referred to the Agricultural Committee. I consented to this proposal because Senator FESS, in making this suggestion, said "The Committee to Audit and Control the Contingent Expenses of the Senate has no latitude to consider the merits of resolutions other than simply to say that so much money shall or shall not be expended." The Senate Committee on Agriculture and Forestry, in favorably reporting the resolution to the Senate, definitely passed on the merits of the proposition to authorize an investigation into the newsprint situation.

At the time I introduced the resolution I believed that it would be a relatively simple matter to have the Senate authorize this inquiry, because it has always shown its sympathy to the small consumers and others who are not in the position to defend themselves against the harmful practices of monopolies. It is particularly true that the Senate of the United States has kept in mind the viewpoint of the smaller daily and weekly newspapers of this country. The Senate has in recent years authorized two sweeping investigations into the activities of the newsprint combines—one in 1917, and another in 1920. The first inquiry authorized by the Senate was conducted by the Federal Trade Commission, and resulted in indictments and a decree in the Federal courts against certain newsprint manufacturers for violation of the anti-trust law. It is these same manufacturers, more closely knit than in other years, that are the moving figures in the present newsprint monopolistic trend. The Senate itself conducted an investigation in 1920, at which time they made it clear that the smaller publishers were harmed by newsprint combines.

The newsprint resolution was reported favorably from the Senate Committee on Agriculture and Forestry nearly three weeks ago. It did not seem logical to me that the Audit and Control Committee should hold hearings to discuss the merits of Senate Resolution 292 when the Senate Committee on Agriculture and Forestry had definitely approved the measure. It was undoubtedly an oversight on the part of the committee, but the fact was that I was not notified that a hearing would be held. I am also informed that the National Editorial Association, representing the small daily and weekly newspapers, whose representative testified at the Agricultural Committee hearings, was not notified.

The stenographic copy of the hearings before the Committee to Audit and Control the Contingent Expenses of the Senate shows that the authorized spokesman for the newsprint manufacturers was ready and present to oppose the measure. The record of the hearing as of Saturday, February 9, contains the statement of Elisha Hanson, who appeared as the attorney for the International Paper Co. in opposition to reporting the resolution from the Committee to Audit and Control the Contingent Expenses of the Senate. Mr. Hanson had previously appeared upon this same resolution before the Committee on Agriculture and Forestry as the attorney for the American Newspaper Publishers' Association, a group of the larger daily newspapers. At this time he declared: "We do think that this particular investigation is unnecessary." At this hearing, in response to my questions, Mr. Hanson denied that either former Senator Lenroot or himself represented the newsprint organization. He conceded that the former Senator and himself had jointly represented the International Envelope Corporation, a subsidiary of the International Paper & Power Co., in obtaining a Government contract from the Government Post Office Department in September. Later this attorney appeared before the Senate Committee to Audit and Control the Contingent Expenses of the Senate with reference to my Resolution 292 at a meeting of which I had not been informed and said:

> I am not appearing for the newspaper publishers this morning, but for an American manufacturer of newsprint, and I merely want to submit to the committee certain evidence along the line that if there is no control there is no monopoly.

At a subsequent meeting, to which I was invited, this attorney declared:

> I wish to say that my client in this particular instance, the International Paper Co., has nothing to fear from the proposed investigation.

If this particular company had nothing to fear, it seems peculiar that it should lead the fight against a favorable report from the Senate Committee to Audit and Control the Contingent Expenses of the Senate.

Senators, the International Paper Co. and other large producers of newsprint have every reason to fear a repetition of investigations of other years by the Senate, at which time their colors were shown. The price cutting, the pooling of orders, and the distribution of tonnage which has marked the present controversy over newsprint is only the surface battle between the gigantic combines of newsprint manufacturers. In tracing the opposition to my resolution I have made many interesting discoveries, and as a result I am cognizant of the immeasurable resources of the opposition.

I have neither the time nor the inclination to draw up a wholesale indictment against the International or other large producers of newsprint in this country and Canada. That the consumer of newsprint is placed at a disadvantage by the monopolistic tendencies is usually considered sufficient to warrant an investigation and relief. There is a wealth of information that should have been heard by a select committee, and I would have been glad to present it.

To give you an idea that there is more than the paper angle in the strongly entrenched opposition to an investigation by the Senate, I call attention to a special article from the Toronto Star of January 14, written by their New York correspondent after an investigation into the newsprint situation. The Toronto Star says under a New York date line:

> Whatever the result of the newsprint-price conference here to-day, the negotiators sitting around the table know that newsprint is not the major issue. It is hydroelectric power and empire. The issue is power, hydroelectric power, and financial power. The issue involves the ambitions of Archibald R. Graustein of New York, and J. H. Gundy, of Toronto. In conflict around the conference table here are represented two of the greatest financial groups in the world. Whatever the settlement, the insiders here feel that the result can be only a truce; an armed respite for a renewed conflict.
>
> On one side, represented by Mr. Graustein, is a huge United States-Canadian alliance of power and paper groups. It includes the power resources of the New England Power Association, and the International Paper Co., and its subsidiaries, producing 1,524,600 horsepower and 1,400,000 tons of paper and pulp a year. On the other side, represented by J. H. Gundy, are resources of the Holt-Gundy duumvirate, probably not so huge in point of paper and power figures, but backed by all the very holdings of the companies controlled by Sir Herbert Holt, calculated at $2,000,000,000. These include light, heat, and power plants, as well as pulp and paper mills. Financiers here seem to accept the fact as common knowledge that these two financial forces are now in line of battle over hydroelectric power.

How this struggle of financial giants over power and paper is affecting the newsprint industry is clearly outlined by the Toronto Star in the following comment:

> Many of the smaller independent companies, embarrassed by the present state of the industry and the difficulty of competing with the larger corporations, are also thought to be in a mood for mergers. Many of them could go in with either the Holt-Gundy duumvirate or with the Canadian International Paper Co., led by Archibald R. Graustein.

In all its publicity and in its financial representations to investors, the International Paper & Power Co. stresses the fact that it is unquestionably the dominating factor in the newsprint field. The Canadians concede the undisputed leadership of the International in fixing prices on markets; for the Toronto Star, under date of January 10, said:

> Since the International is the largest producer of paper in the world, with an output just twice as great as the next company in the field, namely, the Abitibi, the necessity of reaching a settlement with President Graustein is evident.

The keynote of a booklet issued by bankers, giving an analysis of the International Paper & Power Co. with its history and prospects, substantiates the story appearing in the Toronto Star, and quoted above. Discussing the dominating position of the International, bankers' statements to investors definitely point out that "no effort is being spared in order to make the company's position absolutely impregnable."

It does not require a gift of prophecy for any Member of the Senate to predict what will happen to these smaller consumers of newsprint when these large combines settle their differences and proceed to collect on the losses that have resulted from a price warfare extending over a period of five months. The bankers for the International Paper Co. promise the investing public that prices will advance, and surely they are in a position to know. The booklet prepared this month on the International Paper & Power Co. for investors says, quite significantly:

> In concluding this analysis it may again be pointed out that the International Paper Co. has not yet begun to reap the benefits of its widespread expansion and diversification. In the meantime the period of overproduction through which the paper industry is at present passing has delayed a realization of the returns which had been hoped for. As described before, however, this situation is temporary in nature; and ultimately the tremendous values of the company's paper, pulp, and power properties will produce constantly increasing revenue. The position now held by the company is unique in corporate history.

Not only is it the greatest paper company in the world, but it is now also one of the largest public-utility enterprises on this continent.

Here we have, Senators, the attorney for what is conceded as the largest and dominant paper company, and occupying a similar position in the power industry, appearing in opposition to an inquiry which has already been authorized by the Senate Committee on Agriculture and Forestry solely on its merits.

A recent dispatch from the Montreal and Toronto Star says:

Canadian newsprint manufacturers expect to be able to announce a settlement to stabilize the industry at the latest on Saturday, with a price of approximately $55.20 a ton for the mills.

Announcement of the settlement will precede by only a short time two amalgamations of paper mills that will further reduce the independent groups and be calculated to add to the stabilization of the industry. From inside sources it is learned that negotiations are under way by which the Canadian International Paper Co. will take over control of the E. B. Eddy Co. and the J. R. Booth mills. At the same time the Holt-Gundy interests are about to absorb Wayagamack, Brompton, and the St. Lawrence.

This fixed price of $55.20 will be given only to the larger newspapers who will protect themselves by contracts, and it applies only to the year 1929. What the fixed price will be in 1930 and 1931 can only be conjectured by remembering what happened a few years back, when newsprint paper to the small consumer ran up to $260 per ton. The testimony admitted by all concerned in the hearings before the Agricultural Committee on January 30 was that the smaller newspapers are now paying $95 per ton, and only a short time ago were paying $180.

I heard this morning on good authority that last Saturday the combination forming a tremendous newsprint trust of American and Canadian interests was formed, and the names thereto put upon the dotted line. Another fact is that Archibald R. Graustein, president of the International Paper Co., resigned as president of the Bathurst Pulp & Paper Co., a subsidiary of the International, and another was elected in his place to do the signing.

My Resolution 337 is identical in the wording with Resolution 292, which the Agricultural Committee reported favorably. This resolution authorizes the Federal Trade Commission to conduct the inquiry into the newsprint monopoly as it affects the small daily and weekly newspapers. The Federal Trade Commission conducted previously a similar investigation, and have much data that will be of service. It will be entirely satisfactory to me and to the friends of the smaller newspapers to have it thus referred; and I ask its immediate consideration and passage.

The VICE PRESIDENT. Is there objection?

Mr. KING. What is the request?

Mr. NORRIS. Mr. President, may we have the resolution reported, so that we may know what it provides?

The VICE PRESIDENT. The clerk will read the resolution.

The Chief Clerk read the resolution, as follows:

Resolved, That the Federal Trade Commission is requested (1) to make an investigation and hold open hearings upon the question of whether any of the practices of the manufacturers and distributors of newsprint paper tend to create a monopoly in the supplying of newsprint paper to publishers of small daily and weekly newspapers or constitute a violation of the antitrust laws, and (2) to report to the Senate by filing with the Secretary thereof preliminary reports at intervals of not more than 30 days during such investigation, and, as soon as practicable, a final report to the results of such investigation and the evidence taken at such hearings, together with its recommendations, if any, for necessary legislation.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. JONES. Mr. President, I do not think there ought to be incorporated in the resolution, at any rate, a request or requirement that the Federal Trade Commission shall report every 30 days. I think if the resolution is to be agreed to, it ought to provide for a final report as soon as practicable, but I am not in favor of requiring the commission to report every 30 days.

Mr. HEFLIN. Mr. President, I think the resolution is meritorious, and that the Senate should agree to it.

Mr. JONES. I do not think I have any objection to the resolution if it may be modified as I have suggested.

Mr. NORRIS. I suggest to the Senator from Minnesota that it is not so very important about having a report every 30 days, and that he amend it by striking that provision out.

Mr. SCHALL. How would it be to make it 60 days?

Mr. JONES. Why not simply require a final report.

Mr. SCHALL. How would 60 days do? I would like to keep track of this thing.

Mr. REED of Pennsylvania. I suggest that the resolution go over for a day, in order that the Senator may work it out. He can renew his request to-morrow.

Mr. HEFLIN. I think if the Senator is willing to accept that amendment, we ought to agree to the resolution now.

Mr. SCHALL. I have been working this over for a long time. I would like to have action on it.

Mr. REED of Pennsylvania. I am only suggesting to the Senator that he let it go over until to-morrow, so that other Senators who are interested may discuss the terms of it with him.

Mr. SCHALL. It has been before the Committee on Agriculture and was reported favorably, and it has been discussed for months here. I would be glad to accept the amendment.

Mr. REED of Pennsylvania. Does the Committee on Agriculture approve of requiring a report every 30 days?

Mr. SCHALL. No.

Mr. HEFLIN. Let us have it read now as it would be if amended.

Mr. SCHALL. I have not consulted them on the subject.

Mr. REED of Pennsylvania. Was this matter reported to the Senate just now?

Mr. JONES. It was reported some time ago.

The VICE PRESIDENT. It has been on the table since February 22.

Mr. SCHALL. It was reported to the Senate in December.

Mr. REED of Pennsylvania. I think it would better go over until to-morrow. I ask for the regular order.

The VICE PRESIDENT. The resolution will go over.

LOAD-LINE REGULATIONS

Mr. JONES. Mr. President, some days ago the House passed the so-called load line bill, and sent it to the Senate with quite a number of amendments. We have had a conference with reference to that bill and have come to a conclusion, and I think in justice to the House conferees I should state the situation that confronted us and what led us to the final conclusion of the conference.

The Senate passed a bill applying the load-line system to vessels engaged in the foreign trade only. The bill came back from the House with amendments which extended the legislation to the coastwise trade, with certain exceptions. That bill, as I understand it, was unanimously reported by the House committee, and it passed the House with practically a unanimous vote; so that the conferees were confronted with the proposition of extending the load-line legislation to the coastwise trade.

All the conferees and both Houses had declared in favor of extending the load-line legislation to the foreign trade. I will say that all the conferees personally are really in favor of extending the legislation to the coastwise trade. But we have these differences.

There were certain exceptions made in the bill as it passed the House by an amendment. Of course, there was controversy over those exceptions, and the controversy led, really, to the exceptions.

We appreciate, and the House conferees appreciate, the situation which confronts us now, near the close of the session, the limits of which are fixed. The House conferees, as well as the Senate conferees, came to the conclusion that under the circumstances confronting us it would be impossible to get the legislation through as it had been amended by the House, and to these amendments, I will say, the Senate conferees had substantially no objection. The exceptions made in the House, however, would cause a serious controversy in the Senate. No other compromise would avoid such controversy. The conferees would have been glad to see the legislation go further. But after considering the matter from all angles and the situation which confronts us, the House Members finally came to the conclusion that rather than have no legislation at all they would accept substantially the legislation passed by the Senate.

We have agreed to submit to the Senate practically the Senate bill as it originally passed, applying the load-line legislation to vessels engaged in the foreign trade only, excepting, also, the trade on the Great Lakes, because there is considerable controversy over that.

It was felt by all the conferees that if we should do this, the matter of extending the load-line legislation to the coastwise service should be very carefully investigated, studied, and considered as promptly as possible, in the hope that legislation dealing with this phase of the matter might be taken up early in the next session.

Pursuant to that, we did what is, of course, quite unusual for a conference committee, as I know, but it is simply expressive of the individual views of the members and is not binding upon the Senate or upon the House. We adopted a resolution in the

conference, not as conferees but as individual members of the conference committee, and as expressing our individual views, as I have said, and declared our intention to promote as much as we can, and at as early a date as possible, legislation extending the load-line legislation to the coastwise trade without exception.

I think it was the unanimous opinion of individual members of the conference that there should really be no exception, but that the legislation should be extended to all classes of trade. But that will largely depend, of course, upon the investigations and studies that may be made.

Instead of the exceptions made in section 9, we put in a provision directing the Secretary of Commerce, and I think the Shipping Board, as expeditiously as possible to investigate and study the matters relating to extending the laws to the coastwise trade, and to submit a report, with such recommendation as they thought proper of legislation that should be enacted. As individuals we propose to promote that legislation as rapidly as possible. I can not commend too highly the wise, courageous, and patriotic statesmanship of the House conferees. They are entitled to great credit for the forward step we have taken in this legislation to protect life, preserve harmony between this country and her rivals on the sea, and to promote the welfare of our merchant marine.

I ask that this resolution which the conferees adopted be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution is as follows:

On motion, voted that it is the sense of the conferees on the part of the Senate, and of the House, that load-line legislation should be made applicable to all vessels of the United States of over 250 tons, including those operating in the foreign trade, making a voyage by sea in the coastwise and intercoastal trade, or on the Great Lakes; that the conferees have agreed to a report applying the load line only to vessels engaged in the foreign trade because of the parliamentary situation and the apparent impossibility of procuring more comprehensive legislation during the present Congress; and that the conferees advise that they will support and undertake to procure the passage of legislation in the next Congress applying load lines to all of the classes of vessels above enumerated.

Mr. NEELY subsequently said: Mr. President, let me inquire of the Senator from Washington whether the conferees have eliminated an objectionable House amendment against which the Senator from Kentucky [Mr. SACKETT] and I protested yesterday afternoon?

Mr. JONES. That amendment is eliminated. All inclusion of the coastwise trade is eliminated in the conference report, for the reasons I have suggested.

NAVAL APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16714) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other purposes.

Mr. HALE. Mr. President, in view of the fact that the Senator from Nebraska would like to see the conference report before we act upon it, I shall be entirely willing to ask unanimous consent that the conference report be temporarily laid aside, and that it be taken up to-morrow morning immediately at the close of the routine morning business.

Mr. HEFLIN. How long does the Senator think it will take?

Mr. HALE. I can not see how it will take any time at all. It is a very simple report.

Mr. GLASS. The Senator can not take his report up at the conclusion of the routine morning business when we already have a unanimous-consent agreement to take another matter up.

Mr. HALE. That matter will come up after 1 o'clock, I understand.

Mr. GLASS. But we will be on the routine morning business until that time.

Mr. SWANSON. Mr. President, this unanimous-consent agreement could not interfere with the unanimous-consent agreement referred to by my colleague, which, I understand, will take effect at 1 o'clock, or at 1.30, I have forgotten which. When 1 o'clock comes, automatically the unfinished business will come before the Senate, and, as I understand it, a conference report does not go to the calendar but goes to the table.

Mr. SMOOT. No; it goes to the calendar.

Mr. BROOKHART. That would cut out the call of the calendar.

Mr. SWANSON. I think a conference report goes to the table, does it not?

Mr. SMOOT. A motion to take up a report is privileged, but the consideration of the report is not privileged.

The VICE PRESIDENT. The conference report will lie on the table.

Mr. HALE. I have asked for unanimous consent.

Mr. BLACK. I object to that if it will interfere with the call of the calendar.

Mr. HALE. It will not interfere with the unanimous-consent agreement that was entered into.

Mr. SWANSON. Mr. President, I am satisfied that when the Senator from Nebraska reads the report it will not take five minutes to get the report through. Nearly all the Senate provisions are retained, and I think the Senator will agree with us in receding in the cases where we have receded.

Mr. NORRIS. The Senator is not getting the idea that I am making any objection, is he?

Mr. SWANSON. No. The Senator has a right to read the report, and it ought to go over so that it can be printed, but I am simply stating to the Senate that I am satisfied that when the report is read by Senators, it will not take 10 minutes to dispose of it.

Mr. HALE. I am also satisfied that it will not; and I renew my request.

Mr. MOSES. What is the request the Senator makes?

Mr. HALE. I ask unanimous consent that the consideration of the conference report be temporarily laid aside, and that the Senate proceed to the consideration of the conference report to-morrow morning immediately after the close of the routine morning business.

Mr. MOSES. Does that mean we are to adjourn to-night, and not take a recess?

Mr. NORRIS. If the Senator from Maine wants to do that—and it is immaterial to me whether it is done or not, because I should be delighted to go on for a few hours this evening—why does he not make a motion that the Senate now take a recess until 11 o'clock to-morrow, and then we would go right ahead with the consideration of the conference report at 11 o'clock, until 1 o'clock.

Mr. SWANSON. The Senator from Indiana is bothered about that suggestion. He wants his radio bill to come up in the morning hour.

Mr. NORRIS. It would not take long if we should commence business with this conference report. If the Senator from Virginia is right about it, it will be finished in two or three minutes. He said that by five minutes after 11 it would be disposed of.

Mr. MOSES. There is only one Senator who can be right about it, and that is the Senator from Nebraska, because he is the one who objected.

Mr. NORRIS. I did not object; and I do not object now. I am willing to go on.

Mr. ROBINSON of Arkansas. Mr. President, a number of Senators understood, when the agreement was entered into requested by the Senator from Virginia [Mr. GLASS] to proceed with the consideration of the unfinished business at 1 o'clock to-morrow, that the calendar was to be taken up where we left off to-day and proceeded with for two hours.

Mr. MOSES. The Senator is accurate in that respect.

Mr. ROBINSON of Arkansas. That is not in the formal agreement entered into. In order to avoid confusion and conflict I think some arrangement should be made to complete the call of the calendar as soon as possible, otherwise we need not complete it at all, and there will be no opportunity for the consideration of Senate measures at the other end of the Capitol even where similar House bills have been reported and are on the House calendar. I am going to suggest that upon the convening of the Senate tomorrow at 11 o'clock, pursuant to the order heretofore entered, the Senate proceed with the calling of the calendar for unobjected bills, resuming consideration at the number where we left off to-day.

Mr. WATSON. Mr. President, I had an understanding with the Senator from Kansas [Mr. CURTIS] that when the Senate concluded its business this evening we would ask for an adjournment, because I am very anxious in the morning hour to bring up the radio bill.

Mr. ROBINSON of Arkansas. I understood the Senator from Indiana was going to ask for an evening session to consider the radio bill.

Mr. WATSON. I was about to state that fact. After talking with the Senator from Arkansas I agreed, with the consent of the Senate of course, to have an evening session to-morrow evening for the purpose of considering the radio bill; and if that shall have been passed during the evening, then to resume the call of the calendar for unobjected bills until 11 o'clock.

Mr. SWANSON. Mr. President, I can not consent to anything that will interfere very long with consideration of the

conference report. This is a matter which has to go to the House to be disposed of.

Mr. WATSON. But the proposed plan is not going to interfere with the conference report. A night session set apart for certain business will not interfere with the conference report.

Mr. DILL. Mr. President, the Senator ought to know that a night session will avail nothing if we may base our judgment on the experience of the last two night sessions.

Mr. WATSON. Then we will be justified in making a motion to supplant some other measure for the consideration of the radio bill.

Mr. DILL. It seems to me the only way is to go right ahead now.

Mr. SWANSON. Mr. President, let me submit a unanimous-consent request.

Mr. ROBINSON of Arkansas. Does the Senator object to the proposal I submitted?

Mr. SWANSON. Oh, no.

Mr. MOSES. How many unanimous-consent requests have we before us now?

Mr. WATSON. I should like to complete my statement. The situation is such that I think we had better not adjourn to-night, but take a recess until 11 o'clock to-morrow morning and then take up these other matters in order. I think the suggestion of the Senator from Arkansas is a good one.

Mr. MOSES. Now we have two or three unanimous-consent agreements pending.

The VICE PRESIDENT. There is no unanimous-consent request now pending.

Mr. MOSES. The Senator from Maine has proposed one and the Senator from Arkansas has proposed one.

Mr. HALE. Under the circumstances I withdraw my request.

Mr. ROBINSON of Arkansas. I will modify my request at the suggestion of Senators so as to provide that the Senate shall take a recess at the conclusion of to-day's business until 11 o'clock to-morrow, and that following the conclusion of the consideration of the conference report on the naval appropriation bill the Senate shall proceed to the consideration of unobjected bills on the calendar until the hour of 1 o'clock.

Mr. BLACK. Mr. President, I understood when I agreed to the unanimous-consent request submitted by the Senator from Virginia [Mr. GLASS] that it included the understanding that the calendar would be taken up from 11 to 1 o'clock to-morrow. That suggestion was made. If we do not take up the calendar until after the conference report is disposed of and that report should take two hours to dispose of, we will have no chance to get the bills on the calendar disposed of.

Mr. ROBINSON of Arkansas. I am sure it would take only a short time to dispose of the conference report. In the event that matters should take the course the Senator from Alabama has suggested they may take, we will then have to make an additional or another arrangement for consideration of bills on the calendar. I am sure the arrangement I have suggested will work out satisfactorily.

Mr. BLACK. It is all right if we can get some arrangement and if it may be understood that there will be an arrangement so that we may consider bills on the calendar.

Mr. ROBINSON of Arkansas. We can only make one arrangement at a time. If the Senator wants to object of course he can do so, but that still will not leave any arrangement in effect for consideration of unobjected bills on the calendar. My proposal is that just as soon as the conference report on the naval appropriation bill is out of the way, we then proceed to the consideration of unobjected bills on the calendar and continue it until the hour of 1 o'clock when, under the agreement previously entered into, we are again to take up the market bill.

Mr. BINGHAM. The Senator, of course, intends that his proposal shall be worded in the usual formal language in which such agreements are worded?

Mr. ROBINSON of Arkansas. Oh, yes; to consider unobjected bills on the calendar only. That is understood. Otherwise no arrangement can be made.

The VICE PRESIDENT. Is there objection to the unanimous consent request submitted by the Senator from Arkansas? The Chair hears none and it is so ordered.

REPORT OF THE NEAR EAST RELIEF

The VICE PRESIDENT laid before the Senate the report of the Near East Relief, submitted pursuant to law, for the year ended December 31, 1928, which was ordered to lie on the table.

Mr. CAPPER. In accordance with the usual custom, I move that the report be printed as a Senate document.

The VICE PRESIDENT. Without objection, the report will be printed as a Senate document.

AIDS TO NAVIGATION, LIGHT HOUSE SERVICE (S. DOC. NO. 253)

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 for the Department of Commerce, fiscal year 1930, amounting to $190,000, for aids to navigation, Lighthouse Service, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

FUNDS COVERED INTO THE TREASURY UNDER SETTLEMENT OF WAR CLAIMS ACT (S. DOC. NO. 255)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a draft of proposed legislation affecting the use of funds required to be covered into the Treasury as miscellaneous receipts under the settlement of war claims act of 1928, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

ENFORCEMENT OF WIRELESS COMMUNICATION LAWS (S. DOC. NO. 254)

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 for the Department of Commerce, the fiscal year 1929, to remain available until June 30, 1930, amounting to $50,000, for enforcement of the wireless communication laws, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

EXPENSES OF THE FIFTEENTH DECENNIAL CENSUS (S. DOC. NO. 256)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a draft of proposed legislation affecting an existing appropriation for the Department of Commerce (expenses of the fifteenth decennial census), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 11476. An act to authorize the Postmaster General to impose demurrage charges on undelivered collect-on-delivery parcels; to the Committee on the Post Office and Post Roads;

H. R. 16839. An act to provide for investigation of sites suitable for the establishment of a naval airship base; to the Committee on Naval Affairs;

H. R. 16985. An act authorizing the Uintah, Uncompahgre, and the White River Bands of the Ute Indians in Utah and Colorado and the Southern Ute and the Ute Mountain Bands of Ute Indians in Utah, Colorado, and New Mexico to sue in the Court of Claims; and

H. R. 16988. An act to legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pa.; to the calendar.

H. R. 14938. An act to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; and

H. R. 16720. An act to amend sections 4, 6, 8, 9, 10, 11, 12, 25, 29, and 30 of the United States Warehouse Act, approved August 11, 1916, as amended; to the Committee on Agriculture and Forestry.

H. R. 16659. An act to authorize an appropriation to pay half the cost of a bridge across Cherry Creek on the Cheyenne Indian Reservation, S. Dak.;

H. R. 16660. An act to authorize an appropriation to pay one-half the cost of a bridge on the Cheyenne River Indian Reservation in South Dakota; and

H. R. 17079. An act to repeal the provision in the act of April 30, 1908, and other legislation limiting the annual per capita cost in Indian schools; to the Committee on Indian Affairs.

H. R. 16771. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States;

H. R. 17062. An act to provide for the conveyance of Deer and Virgin Islands in Wheeler Lake, Oconto County, Wis., to the county of Oconto, State of Wisconsin, for public-park purposes; and

H. R. 17101. An act to accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Rocky Mountain National Park, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 11801. An act to amend section 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto;

H. R. 11802. An act establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the Division of Identification and Information;

H. R. 16393. An act to include henceforth, under the designation "storekeeper-gaugers," all positions which have heretofore been designated as those of storekeepers, gaugers, and storekeeper-gaugers; to make storekeeper-gaugers full-time employees, and for other purposes;

H. R. 16394. An act to authorize the United States to be made a party defendant in any suit or action which may be commenced by the State of Oregon in the United States District Court for the District of Oregon, for the determination of the titles to all or any of the lands constituting the beds of Malheur and Harney Lakes in Harney County, Oreg., and lands riparian thereto, and to all or any of the waters of said lakes and their tributaries, together with the right to control the use thereof, authorizing all persons claiming to have an interest in said land, water, or the use thereof to be made parties or to intervene in said suit or action, and conferring jurisdiction on the United States courts over such cause;

H. R. 16436. An act to provide for the repatriation of certain insane American citizens; and

H. J. Res. 399. Joint resolution providing more economical and improved methods for the publication and distribution of the Code of Laws of the United States and of the District of Columbia, and supplements; to the Committee on the Judiciary.

H. R. 11916. An act to provide for the care and preservation of certain land and monuments in the Washington Parish Burial Ground (Congressional Cemetery);

H. R. 14449. An act to establish a national military park to commemorate the Battle of Kings Mountain;

H. R. 16214. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 16451. An act to provide for the inspection of the battle field of Star Fort, S. C.; and

H. R. 16701. An act to provide for the payment of rental to the Board of Commissioners of the Port of New Orleans of the property known as the New Orleans Army supply base, New Orleans, La.; to the Committee on Military Affairs.

H. R. 13211. An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes;

H. R. 16314. An act to amend section 198 of the Code of Laws for the District of Columbia;

H. R. 16662. An act to authorize appropriations for buildings, sites, and other facilities for the free public library of the District of Columbia; and

H. R. 16792. An act to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

H. R. 13857. An act to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended;

H. R. 16036. An act to authorize the cession to the city of New York of land on the northerly side of New Dorp Lane in exchange for permission to connect Miller Field with the said city's public sewer system;

H. R. 16209. An act to enable the Rock Creek and Potomac Parkway Commission, established by act of March 4, 1913, to make slight changes in the boundaries of said parkway by excluding therefrom and selling certain small areas, and including other limited areas, the net cost not to exceed the total sum already authorized for the entire project; and

H. R. 17026. An act granting a part of the Federal Building site at Savannah, Ga., to the city of Savannah for street purposes; to the Committee on Public Buildings and Grounds.

H. R. 15850. An act authorizing the Bainbridge Island Chamber of Commerce, a corporation, its successors and assigns, to construct, maintain, and operate a bridge across Agate Pass, connecting Bainbridge Island with the mainland in Kitsap County, State of Washington;

H. R. 16170. An act authorizing Walter J. Mitchell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Patuxtent River, south of Burch, Calvert County, Md;

H. R. 16397. An act granting authority to the Secretary of War to relocate levee of Conway district No. 1, Conway County, Ark.;

H. R. 16432. An act granting the consent of Congress to the Highway Department of the County of Etowah, State of Alabama, to construct, maintain, and operate a bridge across the Coosa River at or near Gilberts Ferry;

H. R. 16349. An act authorizing V. Calvin Trice, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Choptank River at or near Cambridge, Md.;

H. R. 16719. An act 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 interest of navigation, opposite or near Chattanooga, Hamilton County, Tenn.;

H. R. 16726. An act authorizing the Secretary of the Treasury to grant a right of way for a levee through the Carville Marine Hospital Reservation, La.;

H. R. 16838. An act authorizing Llewellyn Evans, J. F. Hickey, and B. A. Lewis, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, within the county of Pierce, State of Washington, at or near a point commonly known as the Narrows;

H. R. 16982. An act authorizing J. E. Robinson, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Tombigbee River at or near Coffeeville, Ala.;

H. R. 17007. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Hickman, Ky.;

H. R. 17023. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near East Alburg, Vt.;

H. R. 17060. An act to readjust the commissioned personnel of the Coast Guard, and for other purposes;

H. R. 17075. An act to extend the times for commencing and completing the construction of a bridge across the Red River of the North at or near Fargo, N. Dak.;

H. R. 17127. An act to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa;

H. R. 17140. An act to extend the times for commencing and completing the construction of a bridge across the Mahoning River at or near Warren, Trumbull County, Ohio;

H. R. 17141. An act to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Trumbull County, Ohio; and

H. R. 17185. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cairo, Ill.; to the Committee on Commerce.

H. J. Res. 382. Joint resolution to send delegates and an exhibit to the Fourth World's Poultry Congress to be held in England in 1930; and

H. J. Res. 390. Joint resolution to provide for the annual contribution of the United States toward the support of the Central Bureau of the International Map of the World on the Millionth Scale; to the Committee on Foreign Relations.

H. J. Res. 392. Joint resolution 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.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT. Under an order heretofore agreed to, the Chair refers to appropriate committees as in executive session the messages this day transmitted to the Senate by the President of the United States.

RECESS

Mr. JONES. Mr. President, pursuant to the unanimous-consent agreement, I move that the Senate take a recess.

The motion was agreed to; and the Senate (at 6 o'clock and 10 minutes p. m.), under the order previously entered, took a recess until to-morrow, Wednesday, February 27, 1929, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 26 (legislative day of February 25), 1929

PUBLIC HEALTH SERVICE

Surg. Lunsford D. Fricks to be a senior surgeon in the Public Health Service, to take effect from date of oath, in place of Senior Surg. J. O. Cobb, placed on "waiting orders."

APPOINTMENT IN THE REGULAR ARMY

Maj. Gen. Charles P. Summerall, Chief of Staff, to be general while holding office as Chief of Staff of the Army, with rank from Februry 23, 1929.

POSTMASTERS

ALABAMA

James McDonald to be postmaster at Winfield, Ala., in place of James McDonald. Incumbent's commission expired January 27, 1929.

ARKANSAS

George D. Tubbs to be postmaster at State Sanatorium, Ark. Office became presidential July 1, 1928.

MINNESOTA

Charles C. Gilley to be postmaster at Cold Spring, Minn., in place of C. C. Gilley. Incumbent's commission expires February 28, 1929.

NEW YORK

Mary A. Murphy to be postmaster at Forestport, N. Y., in place of E. J. Murphy, deceased.

NORTH CAROLINA

Annie L. Lassiter to be postmaster at Jackson, N. C., in place of M. E. Barrett, removed.

William K. Stonestreet to be postmaster at Landis, N. C., in place of C. C. Whitaker, resigned.

PENNSYLVANIA

Howard D. Rushong to be postmaster at Collegeville, Pa., in place of H. D. Rushong. Incumbent's commission expires March 3, 1929.

Edward Hoffner to be postmaster at Edge Hill, Pa., in place of Edward Hoffner. Incumbent's commission expires March 3, 1929.

John W. Kuhn to be postmaster at Green Lane, Pa., in place of J. W. Kuhn. Incumbent's commission expires March 3, 1929.

William Millen to be postmaster at Lansford, Pa., in place of R. H. Stickler, removed.

TENNESSEE

Haggai M. Miller to be postmaster at Mountain City, Tenn., in place of H. M. Miller. Incumbent's commission expired May 14, 1928.

TEXAS

John W. Fagg to be postmaster at Blue Ridge, Tex., in place of A. E. Davis. Incumbent's commission expired April 28, 1928.

WISCONSIN

Rufus A. Jones to be postmaster at Black River Falls, Wis., in place of R. A. Jones. Incumbent's commission expires March 3, 1929.

Edward Porter to be postmaster at Cornell, Wis., in place of Edward Porter. Incumbent's commission expires March 3, 1929.

Peter Mies to be postmaster at Mayville, Wis., in place of W. A. Kohl. Incumbent's commission expired June 4, 1928.

Arthur Miller to be postmaster at Withee, Wis., in place of Arthur Miller. Incumbent's commission expires March 3, 1929.

HOUSE OF REPRESENTATIVES

TUESDAY, *February 26, 1929*

The House met at 12 o'clock noon.

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

Our Father in Heaven, above, beyond, and far away are our highest aspirations. We can not reach them now, but we feel them and believe in them. Give us grace and courage to follow their lead. Thou who givest all life, give us hearts replete with thankfulness. Allow nothing to keep us down; but may we strive to direct our admiration for all that is good and noble and all that would enrich and beautify life. O Immortal Love, within whose will righteousness and peace are forever one, pity us; reign in all hearts and bid passion to forever cease. Impress us that beyond all good is being good. Lead us on, seeing Thee who are invisible, working by faith, hope, and love; always seeking to be like the Divine Teacher until we dwell with Him. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 13060. An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever; and

H. R. 13752. An act to provide for the construction of a children's tuberculosis sanatorium.

The message also announced that the Senate had concurred in concurrent resolutions of the House of the following titles:

H. Con. Res. 56. Concurrent resolution to provide for the printing and binding of the proceedings in Congress and in Statuary Hall of the unveiling upon the acceptance of the statues of Henry Clay and Dr. Ephraim McDowell, presented by the State of Kentucky, and for the distribution of the 2,500 copies authorized to be printed; and

H. Con. Res. 57. Concurrent resolution to provide for the printing of the first edition of the Congressional Directory of the first session of the Seventy-first Congress.

The message also announced that the Senate agrees, with an amendment, to the amendment of the House to the text of the bill S. 2360, entitled "An act to amend section 1 of the act of Congress of March 3, 1921 (41 Stat. L. 1249), entitled 'An act to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes."'"

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

S. 5656. An act authorizing the Secretary of the Treasury to grant a right of way for a levee through Carville Marine Hospital Reservation, La.;

S. 5746. An act to legalize the sewer outlet in the Allegheny River at Thirty-second Street, Pittsburgh, Pa.;

S. 5864. An act to provide for the study, investigation, and survey, for commemorative purposes, of battle fields in the vicinity of Richmond, Va.;

S. 5879. An act authorizing Llewellyn Evans, J. F. Hickey, and B. A. Lewis, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, within the county of Pierce, State of Washington, at or near a point commonly known as the Narrows; and

S. J. Res. 117. Joint resolution authorizing an investigation and survey for a Nicaraguan canal.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 710. An act conferring jurisdiction upon the Court of Claims to hear, adjudicate, and render judgment in claims which the northwestern bands of Shoshone Indians may have against the United States; and

S. 1648. An act for the relief of Oliver C. Macey and Marguerite Macey.

The message also anounced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 6687. An act to change the title of the United States Court of Customs Appeals, and for other purposes; and

H. R. 14659. An act to provide for the appointment of two additional judges of the District Court of the United States for the Eastern District of New York.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the following titles:

S. 5350. An act to amend the air commerce act of 1926 with reference to the examination and rating of schools giving instruction in flying; and

S. J. Res. 196. Joint resolution authorizing and requesting the President of the United States to take steps in an effort to protect citizens of the United States in their equitable titles to land embraced in territory to be transferred from the State of Oklahoma to the State of Texas and from the State of Texas to the State of Oklahoma as per decree of the Supreme Court of the United States in the case of Oklahoma *v.* Texas (1926, 272 U. S. 21, p. 38), and to give the consent of Congress to said States to enter into a compact with each other and with the United States relating to such subject matter.

LEGISLATIVE APPROPRIATION BILL

Mr. WELSH of Pennsylvania. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 17053) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1930, and for other purposes, with Senate amendments, and concur in the Senate amendments.